

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1875. By Mr. HEFFERNAN: Petition of Mary S. McDowell, of 25 Rugby Road, Brooklyn, N. Y., and signers, in opposition to conscription; to the Committee on Military Affairs.

1876. By Mrs. ROGERS of Massachusetts: Memorial of the General Court of Massachusetts, against the closing of Fort Devens and the Lovell General Hospital; to the Committee on Military Affairs.

## SENATE

MONDAY, MAY 13, 1946

(Legislative day of Tuesday, March 5, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, as another week claims our strength and our days, grant us such courage for the right and such confidence in the triumph of the good that our efforts for a just solution of the tangled problems of humanity may never falter. May our own spirits be so dominated and motivated by good will that our supreme gift to a troubled world shall be to buttress those forces which must at last beat down every barrier to brotherhood and to equality of opportunity. Endue us with such understanding wisdom of the total pattern of human needs that every vexed question of boundary and trade, of production and distribution, of language and culture may be changed into bridges across all the chasms that separate man from man. Give us such faith that when the climbing way is hard and steep we may still follow the gleam, nor turning back, march breast forward to the city which hath the foundations of God. In the dear Redeemer's name. Amen.

## THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, May 10, 1946, was dispensed with, and the Journal was approved.

## MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 1980) to continue in effect section 6 of the act of July 2, 1940 (54 Stat. 714), as amended, relating to the exportation of certain commodities.

The message also announced that the House had passed a bill (H. R. 6305) to make permanent the provisions of the

act of July 11, 1941, prohibiting prostitution in the vicinity of military and naval establishments, in which it requested the concurrence of the Senate.

## ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H. R. 5059) to provide additional compensation for postmasters and employees of the postal service, and it was signed by the President pro tempore.

## REPORT OF GOVERNOR OF THE PANAMA CANAL

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Inter-oceanic Canals:

(For President's message, see today's proceedings of the House of Representatives on p. 4924.)

## EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

LAWS PASSED BY MUNICIPAL COUNCIL OF ST. THOMAS AND ST. JOHN, AND LEGISLATIVE ASSEMBLY, VIRGIN ISLANDS

A letter from the Acting Secretary of the Interior, transmitting, pursuant to law, copies of legislation passed by the Municipal Council of St. Thomas and St. John, and by the Legislative Assembly of the Virgin Islands (with accompanying papers); to the Committee on Territories and Insular Affairs.

## REPORT OF DIRECTORS OF THE FEDERAL PRISON INDUSTRIES, INC.

A letter from the Secretary of the Federal Prison Industries, Inc., Department of Justice, Washington, D. C., transmitting, pursuant to law, the Annual Report of the Directors of the Federal Prison Industries, Inc., for the fiscal year 1945 (with an accompanying report); to the Committee on the Judiciary.

## CLAIM OF JOHN E. PETERSON ET AL.

A letter from the Administrator of the National Housing Agency, transmitting a draft of proposed legislation for the relief of John E. Peterson, James M. Hiler, Vivian Langemo, Floy Sible, and Ross Lee Brown (with an accompanying statement); to the Committee on Claims.

## FINANCIAL STATEMENT OF THE AMERICAN LEGION

A letter from the Director of the National Legislative Committee of the American Legion, Washington, D. C., transmitting, pursuant to law, the final financial statement of the American Legion for the calendar year ended December 31, 1945 (with an accompanying statement); to the Committee on Finance.

## DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. BARKLEY and Mr. BREWSTER

members of the committee on the part of the Senate.

## PETITIONS

Petitions, etc., were laid before the Senate and referred as indicated:

By the PRESIDENT pro tempore:

A resolution adopted by the City Council of the City of Rockford, Ill., favoring the retention of the Office of Price Administration; to the Committee on Banking and Currency.

A resolution adopted by the international convention of the Office Employees International Union at Milwaukee, Wis., favoring the continuation of the Office of Price Administration, extension of the Second War Powers Act, and consumers' subsidy program; to the Committee on Banking and Currency.

A letter in the nature of a petition from Howard L. Minker, Washington, D. C., praying an amendment to the Constitution to relieve the distress of the people of the Nation; to the Committee on the Judiciary.

A letter in the nature of a petition from Eleanor Nelson, secretary-treasurer, United Public Workers of America (CIO), Washington, D. C., praying for the prompt enactment of legislation to increase the salaries of Federal employees; ordered to lie on the table.

A telegram in the nature of a petition from the board of directors of Americans United for World Government, New York City, N. Y., signed by Raymond Swing, chairman, praying for the complete mobilization of American industry and agriculture to meet the world famine; to the Committee on Foreign Relations.

## THE COAL STRIKE

Mr. CAPPER. Mr. President, I have received a telegram from Elmo J. Mahoney, president, Russell County Farm Bureau, of my State, Kansas, asking that action be taken at once to settle the coal strike. I am in full accord with his appeal and ask unanimous consent to have the telegram printed in the RECORD and appropriately referred.

There being no objection, the telegram was received, ordered to lie on the table, and to be printed in the RECORD, as follows:

DORRANCE, KANS., May 10, 1946.  
Senator ARTHUR CAPPER,  
United States Senate,  
Washington, D. C.:

For the sake of our national economy and the people you represent at home, take action at once to settle the coal strike and be courageous enough to give us laws to protect us from such a catastrophe in future. We just won't tolerate the dictatorial attitude of these strike leaders any longer.

ELMO J. MAHONEY,  
President of Russell County Farm  
Bureau.

## THE LABOR SITUATION

Mr. CAPPER. Mr. President, I have received an interesting statement from C. H. Martin, of the Martin Tractor Co., Topeka, Kans., protesting against the conditions which exist at the present time with respect to the labor situation. Mr. Martin makes an earnest appeal for the passage of the Case bill, and I am in accord with his stand on that matter. I ask unanimous consent to have the statement printed in the RECORD and appropriately referred.

There being no objection, the statement was received, ordered to lie on the

table, and to be printed in the RECORD, as follows:

MARTIN TRACTOR Co.,  
Topeka, Kans., May 7, 1946.

Senator ARTHUR CAPPER,  
United States Senate,  
Washington, D. C.

DEAR SENATOR CAPPER: I am writing to let you know how your fellow Kansans feel about the present situation in Washington. I know a lot of Kansas people feel as I do about this unusual and deplorable situation.

It is a downright shame that one man, backed up by a comparatively small group, can so nearly wreck this entire country.

It is my belief the Wagner Act should be changed, trimmed down or repealed. The provisions of the House Case bill should be enacted. The law to clip the wings of the Music Masters should be extended to Lewis and all similarly situated. It looks as if it is high time that Congress should be doing something—and without delay.

A law should reflect the wishes of the majority of the people. Certainly the majority of people are becoming tired of the entire situation created by the labor unions and the OPA. If Congress is going to represent the people and stay in power it certainly should be doing something about it.

I am wondering what our grandfathers would have done with a man like Lewis. Some people may say conditions are different today. However, fundamentally, our Government is, and should be, the same. There are some changes, it is true, but many of these changes have made things worse because of their acceptance. The fundamentals of our Constitution are still most necessary for this country to carry on.

Our good Senators and Congressmen have asked us to write them and to express our feelings about such things as are going on now, and that is just what I am doing at this time.

Most sincerely yours,

C. H. MARTIN.

LETTER TO SENATOR LANGER FROM  
HARVEY H. SPRINGER, D. D.

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD, as a part of my remarks, a letter which I received this morning, written under date of May 13, 1946, from Harvey H. Springer, D. D., pastor of the Englewood, Colo., Baptist Church.

There being no objection, the letter was received and ordered to be printed in the RECORD, as follows:

MAY 13, 1946.

The Honorable WILLIAM LANGER,  
Senate Office Building, Washington, D. C.

HONORABLE SIR: I have observed your conduct as a member of the United States Senate through the past nearly 6 years. You have impressed me as a man of courage. Consequently, this letter.

For your information, I am the pastor of the largest Baptist Church in the State of Colorado. Along with my activities as the pastor of this church, I am an editor, a publisher, and an evangelist. I am the head of a Bible school which supplies special training for students of the ministry and individuals who desire to train themselves for specialized service in the church. I maintain something like 11 assistants and associates in carrying on these activities. For many years I have been on the radio in Denver.

I am known among my Baptist friends as a fundamentalist. Fundamentalists, as you perhaps know, believe the Bible to be the word of God and believe in the complete divinity of Jesus Christ. This faith naturally gives us a high respect for the Constitution of the United States and makes us natural

enemies of communism, fascism, and all forms of bureaucratic tyranny.

We, of course, like most American Christians, are opposed to anything that would tie the church to the state and make religious activity subject to the whim or the opinions of politicians, public officials, and bureaucrats.

As a gospel preacher, I have always held the opinion that preachers should not mix in politics. I have contended that the preaching of the gospel was a full-time enterprise for an ordained minister. I still hold to that conviction.

I have never frequented courthouses, State capitol buildings, or our National Capitol. I have tried to be a good citizen. I have voted consistently for the man and the party which most nearly represents my sincere opinions, but I have never attempted to impose my theological or doctrinal beliefs upon those having authority over me, except as I might attempt to save the souls of men and women as individuals, regardless of their station or position in life.

In recent years, however, I have observed ominous signs. I find that the Government of the United States and its representatives in various communities have imposed upon my liberty as an American and my liberty as a preacher of the Gospel. Just as I have always opposed any attempt on the part of the church to dictate to the state, I now oppose any attempt on the part of the state to dictate to the church.

I not only am alarmed over the interference of our Government agents with the function of the church, but I am alarmed to observe that agents of our Government seem to be positively under the influence of left-wing, modernistic, and pro-Communist elements.

#### 1. BUREAUCRATIC CONTROL OF THE TRANSPORTATION FOR GOSPEL PREACHERS

This point is more or less introductory and deals with the past, but it serves to illustrate how easy it becomes for a government agent to absolutely control the activities of a church.

During the period of gasoline rationing there were flagrant examples all over the United States of local bureaucrats denying gasoline to gospel preachers, because those gospel preachers did not seem politically favorable or because the local rationing board was positively unsympathetic to Christianity.

It was my contention at that time, in the face of juvenile delinquency and the rising tide of a crime wave, that gospel preachers should have been put on a preferential basis. Missionaries, serving from 5 to 10 little country churches, were cut off to the point where they could not visit their congregations; they could not bury the dead; they could not baptize the young. The point I am making, Senator LANGER, is not that in every instance the authority was abused, but it is a violation of the Constitution of the United States and a violation of tradition for us to permit any situation to develop in the United States where gospel preaching can be limited, curbed, or denied to a people by a decision by an agent of the Government.

One gospel preacher with 2,000 parishioners that I know of was cut off by a ration board which issued a statement, saying, "The quicker we close these churches the better." It was actually necessary for the pastor in this church to picket the OPA in order to get back the gasoline ration for the pastor.

I know scores of instances where an OPA bureaucrat who didn't like a particular minister or a particular priest could veto a tire application or a gasoline application to the point where a Christian project that had required years to develop was paralyzed because the minister, priest, or the missionary could not obtain transportation.

In one instance the pastor took up a collection of stamps and the local OPA board actually threatened him with 10 years in prison for accepting donations of gasoline stamps.

I repeat: This phase, of course, is history, but it was during this period that I became alarmed at the potentialities of bureaucratic interference with local churches and what might be well called the attempt on the part of the state to rule the church.

I call your attention to three developments that illustrate what I mean:

The next two phases deal with current problems.

#### 2. GOVERNMENT INTERFERENCE WITH FREEDOM OF RADIO FOR GOSPEL PREACHERS

In the early days of radio, gospel preachers with initiative and ability developed their radio programs on an independent basis—that is, they walked into the radio station, bought radio time, signed contracts, and operated on the true American basis, namely, if they were good enough to command public support, they were able to carry on, pay their bills and pay for their contracts. But if they weren't good enough to win the attention and confidence of the people, they lost out. This system developed several hundred great radio preachers across the Nation. Some were men with Nation-wide appeal. Others were men with a strong appeal in a local zone.

This system didn't suit the bureaucrats in Washington and didn't suit certain manipulators who wanted to bring all religious broadcasting under the control of a few theological and political bureaucrats.

What happened? Stations and networks began to refuse to sell time to religious organizations. They announced that instead of selling time, they would donate time. This sounded good to the naive and uninitiated, but in donating the time they reserved the right to decide to whom they should donate the time. Thus, the free time made available to radio broadcasters concentrated into the hands of a few men, mainly in the East and mainly in Washington, D. C.

Three of the big networks now refuse to sell time to any religious organizations. One of the networks, although still selling time to two or three religious groups, threatens to conform its policy to the other three networks.

How ridiculous this system is. Here we have a Nation built on Christianity and the whole radio system should be answerable to our people, but it is impossible for me or any other gospel preacher to buy time for a network broadcast.

These radio stations and networks sell time to beer companies, soap companies, tobacco companies, etc., but refuse to sell time to gospel preachers. They answer by saying, "Yes, but we donate time." This is not convincing. It would be as though you would return to North Dakota to carry out your campaign for the United States Senate and the radio station would call you in and say, "Mr. LANGER, we are not going to sell you any time for your political broadcasts, but we are going to donate you 15 minutes during the campaign and we are going to donate 100 other men 15 minutes." What would that do to your campaign? It would ruin you.

To further illustrate: Suppose the radio station would say to its leading advertiser, the largest store in town, "We are not going to sell you any more radio time, but we are going to divide the time between all the stores on the street, little and big." What would that do to the store as far as radio advertising was concerned?

To further illustrate: Suppose that the control over which politicians would receive the free time and which store would receive the free advertising was in the hands of a Washington bureaucrat with a political bias?

By this system most of the strong, successful preachers with large followings in



the United States have been kicked off the radio. These men nearly all have big congregations. Most of them are fundamentalists. They meet in big tabernacles, and as a rule are the preachers in the community that can get out big crowds. These men have been silenced by the Washington bureaucracy. They have been denied their American right to buy radio time.

The right of a radio station to deny a preacher the right to purchase time was recently upheld by the Supreme Court. Therefore, Senator LINGER, we need new legislation on this proposition.

Recently in Knoxville, Tenn., I addressed 20,000 people who gathered in a stadium to protest the denial by the local radio station of gospel preachers to purchase radio time. As of today the radio station has succeeded.

Why can beer companies, tobacco companies, chewing gum companies buy radio time to peddle their wares, while a Baptist preacher cannot buy radio time to preach the Gospel.

### 3. BUREAUCRATIC INTERFERENCE WITH CHURCH BUILDING CONSTRUCTION

J. Edgar Hoover recently made a very pessimistic speech about the rising tide of juvenile delinquency and the oncoming crime wave. In Denver (Englewood community) where my church is, we proposed to do something about this. We raised the money to build a Bible school for young people and children, a three-story structure designed to help accommodate a Sunday school of around 2,000, to be used during the week for gatherings of young people and their parents.

We got the material. The material is at this moment all on the ground—steel, brick, and cement—but the Government will not permit us to build this church. Oh, I presume we will succeed eventually in whipping the bureaucrats and getting the building up, but I am a fighter and I won't take "No" for an answer. Many of my friends in the ministry are quiet-mannered men who not only do not want to fight, but do not know how to fight. When a Government bureaucrat says "No," they give up. In other words, we are in a situation right now where a New Deal bureaucrat can decide, regardless of his religion, whether or not a church can be built.

I claim, Senator LINGER, that it is unconstitutional for any politician or any Government official or any bureaucrat to be given the authority to decide when a church building can or cannot be built. Is that Americanism?

The incidents I have illustrated in this letter are merely symptoms of a growing tendency on the part of the state to control the destiny of the church. This must stop. I appeal to you to join with me in curbing this new attempt to combine the church and the state.

I am today organizing the leading radio preachers of the Nation who have been the victims of this bureaucratic interference. We are about to launch a Nation-wide campaign for the circulation of petitions, seeking legislation which will restore the freedom of the air to gospel preachers of all faiths.

I am making a survey of the Nation concerning the curbing of church-building construction by a bureaucratic edict. I ask you to cooperate in this campaign to preserve and restore freedom.

I regret to say, Senator LINGER, that in many instances preachers have been put off the radio and their activities have experienced interference after pressure had been brought on Government bureaus by pro-Communist elements. This situation we have taken up with the congressional Committee for the Investigation of Un-American Activities.

Should any of your friends desire to keep in touch with this movement, invite them to address their inquiries to the Western Voice

(the official periodical of our crusade), post-office box 90, Englewood, Colo.

Sincerely yours,

HARVEY H. SPRINGER, D. D.,

Englewood Baptist Church.

P. S.—For your information, Englewood is a suburb of Denver, Colo.

### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THOMAS of Oklahoma, from the Committee on Agriculture and Forestry:

S. 1198. A bill to authorize the Secretary of Commerce to sell certain property in the State of Michigan now occupied by the Weather Bureau and to acquire land in the State of Michigan for the erection of a Weather Bureau station; without amendment (Rept. No. 1327).

By Mr. THOMAS of Utah, from the Committee on Military Affairs:

S. 2044. A bill to promote the common defense by unifying the departments and agencies of the Government relating to the common defense; without amendment (Rept. No. 1328).

By Mr. BANKHEAD, from the Committee on Agriculture and Forestry:

H. R. 5991. A bill to simplify and improve credit services to farmers and promote farm ownership by abolishing certain agricultural lending agencies and functions, by transferring assets to the Farmers' Home Corporation, by enlarging the powers of the Farmers' Home Corporation, by authorizing Government insurance of loans to farmers, by creating preferences for loans and insured mortgages to enable veterans to acquire farms, by providing additional specific authority and directions with respect to the liquidation of resettlement projects and rural rehabilitation projects for resettlement purposes, and for other purposes; with amendments (Rept. No. 1329).

### REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. BARKLEY, from the Joint Select Committee on the Disposition of Executive Papers, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted a report thereon pursuant to law.

### DEPARTMENT OF COMMON DEFENSE—MINORITY VIEWS (PT. 2 OF REPT. NO. 1328)

Mr. BRIDGES (for himself and Mr. HART), as members of the Committee on Military Affairs, submitted minority views to accompany the bill (S. 2044) to promote the common defense by unifying the departments and agencies of the Government relating to the common defense, which were ordered to be printed as part 2 of Report No. 1328.

### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LA FOLLETTE:

S. 2177. A bill to provide for increased efficiency in the legislative branch of the Government; to the Special Committee on Reorganization of Congress.

By Mr. WALSH:

S. 2178. A bill to provide for making certain Navy Department articles and equipment available for use at the convention of the Veterans of Foreign Wars to be held in Bos-

ton, Mass., in September 1946; to the Committee on Naval Affairs.

S. 2179. A bill to provide for making certain War Department articles and equipment available for use at the convention of the Veterans of Foreign Wars to be held in Boston, Mass., in September 1946; to the Committee on Military Affairs.

Mr. PEPPER. Mr. President, on behalf of myself and the able chairman of the Senate Special Committee to Study and Survey Problems of Small Business Enterprises, the distinguished junior Senator from Montana [Mr. MURRAY] I ask unanimous consent to introduce for appropriate reference a bill to encourage fuller participation by small business concerns in soundly expanded foreign trade and to aid in maintaining high levels of employment and production in the United States.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred.

By Mr. PEPPER (for himself and Mr. MURRAY):

S. 2180. A bill to encourage fuller participation by small business concerns in soundly expanded foreign trade and to aid in maintaining high levels of employment and production in the United States; to the Committee on Banking and Currency.

By Mr. TAFT:

S. 2181. A bill for the relief of the Superior Coach Corp.; to the Committee on Claims.

S. 2182. A bill for the relief of Anna M. Kinat (Mrs. John P. Taylor); to the Committee on Immigration.

By Mr. TYDINGS:

S. 2183. A bill to authorize the heads of executive departments and independent establishments of the United States Government to grant scientific, technical, and professional employees short leaves of absence for advanced research and study; to the Committee on Civil Service.

By Mr. McCARRAN:

S. 2184. A bill to amend the Federal Airport Act; to the Committee on Commerce.

By Mr. WHEELER:

S. 2185. A bill authorizing the issuance of a patent in fee to Gladys May Doyle;

S. 2186. A bill authorizing the issuance of a patent in fee to Spencer Burgess Doyle;

S. 2187. A bill authorizing the issuance of a patent in fee to Lawrence Stanley Doyle;

S. 2188. A bill authorizing the issuance of a patent in fee to Raymond Wesley Doyle;

S. 2189. A bill authorizing the issuance of a patent in fee to Thurlow Grey Doyle;

S. 2190. A bill authorizing the issuance of a patent in fee to Richard Jay Doyle; and

S. 2191. A bill authorizing the conveyance of certain lands in Roosevelt County, Mont., to Earl A. Lund; to the Committee on Indian Affairs.

By Mr. ROBERTSON:

S. 2192. A bill for the relief of the Albany National Bank; to the Committee on Claims.

### HOUSE BILL REFERRED

The bill (H. R. 6305) to make permanent the provisions of the act of July 11, 1941, prohibiting prostitution in the vicinity of military and naval establishments, was read twice by its title and referred to the Committee on Military Affairs.

### MRS. RETA H. HARDIN ET AL.—RECOMMITTAL OF BILL

On motion of Mr. ELLENDER, the bill (S. 1444) for the relief of Mrs. Reta H. Hardin and others, was taken from the calendar and recommitted to the Committee on Claims.

# **EQUAL JOB OPPORTUNITIES—ADDRESS BY SENATOR GUFFEY**

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an address delivered by him before a mass meeting sponsored by the Council for Equal Job Opportunities at the Tindley Temple Methodist Church, Philadelphia, Pa., on May 10, 1946, which appears in the Appendix.]

# **MOTHER'S DAY ADDRESS BY SENATOR WILEY**

[Mr. WILEY asked and obtained leave to have printed in the RECORD a Mother's Day address delivered by him at Gunton's Temple Memorial Presbyterian Church, Washington, D. C., on May 12, 1946, which appears in the Appendix.]

# **ARTICLE BY SENATOR WILEY ON BUSINESS EDUCATION**

[Mr. WILEY asked and obtained leave to have printed in the RECORD an article on Business Education, written by him and published in the April-May 1946, issue of the magazine Dictaphone Educational Forum, which appears in the Appendix.]

# **GOVERNMENTAL POLICIES—ADDRESS BY HON. ALF M. LANDON**

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an address delivered by Hon. Alf M. Landon before the Nebraska State Convention of Young Republican Clubs at Grand Island, Nebr., on May 11, 1946, which appears in the Appendix.]

# **GLOBE TIME—MEMORANDUM BY RICHARD COUDENHOVE-KALERGI**

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD a memorandum entitled "Globe Time," by Richard Coudenhove-Kalergi, which appears in the Appendix.]

# **ECONOMIC ANARCHY—ARTICLE BY GEORGE E. SOKOLSKY**

[Mr. MOORE asked and obtained leave to have printed in the RECORD an article written by George E. Sokolsky, on the subject of industrial and economic conditions, which appears in the Appendix.]

# **THE COAL STRIKE—EDITORIAL FROM WASHINGTON DAILY NEWS**

[Mr. MOORE asked and obtained leave to have printed in the RECORD an editorial entitled, "It Is a Strike Against the Government," published in the Washington Daily News of May 11, 1946, which appears in the Appendix.]

# **NEGRO EDITOR ANSWERS SOLON'S GO NORTH PLEA—ARTICLE BY ALONZO B. WILLIS**

[Mr. OVERTON asked and obtained leave to have printed in the RECORD an article entitled "Negro Editor Answers Solon's Go North Plea," by Alonzo B. Willis, editor of The Negro South, published at New Orleans, La., which appears in the Appendix.]

# **FOOD PLANK FOR PEACE—ESSAY BY MIRIAM THELMA PETERSON**

[Mr. AIKEN asked and obtained leave to have printed in the RECORD an essay on the subject Food Plank for Peace, written by Miriam Thelma Peterson of Northfield High School, Northfield, Vt., in the Pillsbury Institute of Flour Milling history essay contest, which appears in the Appendix.]

# **PUBLIC SERVICE RESPONSIBILITY OF BROADCAST LICENSEES—ARTICLE BY JACK GOULD**

[Mr. TAYLOR asked and obtained leave to have printed in the RECORD an article by Jack Gould, dealing with public service respon-

sibilities of broadcast licensees, published in the New York Times of May 12, 1946, which appears in the Appendix.]

# **MEDIATION OF LABOR DISPUTES**

The Senate resumed consideration of the bill (H. R. 4908) to provide additional facilities for the mediation of labor disputes, and for other purposes.

Mr. WILLIS. Mr. President, as we take up today legislation to provide the machinery to obviate the industrial disturbances which threaten the peacetime recovery of this Nation, particularly the coal strike, let us keep firmly in mind that we are legislating for the public welfare and not for this or that segment of our people. Let us make it plain that we are not acting hastily, that in whatever legislation we pass we are not dignifying any one man by specific action, but that we are attempting to legislate honestly and fairly for the whole Nation.

If we do the job thoroughly and not as a temporary expediency, our deliberations will include an examination of the Wagner Act, setting up the National Labor Relations Board and drawn more or less in favor of one segment of the population. In all fairness, our deliberations ought also to include an examination of the activities of the executive branch of this Government in the wartime administration of labor disturbances, to see if we have learned anything which could be applied to peacetime conditions. No matter what law we may pass in this body, if the President of the United States refuses to use that law, or allows it to be used as a weapon by one group or another, then the law will not remedy the conditions we want it to remedy.

There have been a lot of recriminations, during the past 2 weeks, both on the floor of this body and in much of the public press, about John L. Lewis. I hold no brief for John L. Lewis or any other man who would deliberately cause the industrial tie-ups and the economic waste which he has caused during the past months—and in other years. He has dramatized the danger which exists under the law when one man or group of men is able legally to threaten the American people in their fundamental right to "life, liberty, and the pursuit of happiness."

But let us get this clear: John L. Lewis is doing only what the Wagner labor law under Democratic administration has made it possible for him to do. When the Wagner Act and other nationally one-sided legislation were being forced through this and our companion body, let the people not forget that there were overwhelming Democratic majorities in both Houses of Congress. Let the people not forget that all during the past 13 years the Democratic majority has winked at violations of the law, catered to the more radical union leaders, and has failed miserably to carry out its clear duty to legislate and administrate in the public interest.

The people of my State of Indiana are not antiunion. They recognize the right of a man to leave his work, to strike, to bargain collectively, to work for the general welfare of his group. The people of my State are not against progress.

But they are for just laws, justly administered.

And the lack of these things—just laws, justly administered—is the crux of the national chaos which has descended upon us.

Those who vent their spleen upon John L. Lewis, or those who curse the operators of the mines, both are shooting wide of the mark if they earnestly are trying to place the blame for the present crisis where it belongs. That blame belongs first with the Democratic majority which passed the one-sided laws, and second with the Democratic executive branch of the Government which deliberately through the years has administered even loaded laws with a plain intent to gain political advantage.

The present state of the Nation is the direct result of a complete lack of action, a break-down in responsible leadership, on the part of the executive branch of this Government. There have been many things that President Truman could have done, but he has chosen to follow a do-nothing policy while precious days slipped away and the industrial paralysis has become worse and worse.

More than a week ago, President Truman learned from one of his many surveys that the coal strike and its repercussions were a "national disaster." Every informed American knew that even before the President released his survey. Yet, he let almost an entire week pass without even calling John L. Lewis and the mine operators into conference.

The present truce solves nothing. It only puts off for 2 weeks the day of judgment for the American people.

Through the Smith-Connally Act, the President has had the power to seize the mines. While it is doubtful that the miners would go back to work, the President could at least have said that he took this action.

But most important, Mr. President, the Chief Executive could have used the whole power of his office to break a strike that is clearly antisocial and to prove once and for all that the Government of the United States still is stronger than any segment thereof. This was a chance to prove again, as did Lincoln and Cleveland, McKinley and Wilson, that the Federal Union is more powerful than any component part of it. The President last week could have become a national hero, but he chose instead to become a symbol of a "too little and too late" government.

Let us today not legislate in a spirit of rancor. Let us not aim any bill we consider at any one group, for the inevitable results of such legislation are clearly apparent this morning. Let us consider well our actions, that our people will give us support for whatever we do that is right, and that for a sorely troubled Nation, we may find a workable solution that will help us quickly to recuperate from our present industrial illness and become as strong and as prosperous as we ought to be in this peacetime period.

# **ALLEGED HOARDING OF WHEAT**

Mr. LANGER. Mr. President, I wish to call to the attention of the Senate



an article which appeared in Life magazine entitled "Greed on the Farm," in which Life states that "the farmers are hoarding wheat to get famine prices."

Mr. President, no one knows better than many of the Senators upon this floor the splendid record for unreliability, lying, slander, and outright smearing for which Life magazine is so well known. The record of this magazine stinks to high heaven, and out in my State people even doubt the accuracy of photographs that appear in it.

Today I bring to the attention of the Senate the latest outrage perpetrated by it, and because of my zeal to let the people of America know what a contemptible issue of Life this is, I might possibly use some objectionable language, but therefore I shall content myself by quoting one of the most conservative newspapers in America.

Mr. President, I hold in my hand a copy of the Fargo Forum, a daily newspaper which has a larger circulation than any other paper in my State. In this issue I find this headline, "Life Magazine libels wheat farmer." This is what the Fargo Forum says:

If it were possible to sue a magazine for libeling a large and vital segment of America's production population, then unquestionably, Life magazine would be in for a whale of a damage suit for its charges that wheat producers are hoarding their wheat.

That is the opinion of William Plath, president of the North Dakota Farm Bureau, after looking over an editorial and a picture in the current issue of Life.

"In view of the facts, this is one of the most uncalled for and most insulting pieces of misrepresentation I have ever seen in print," said Mr. Plath.

That sentiment is echoed by John W. Haw, agricultural development director of the Northern Pacific, and by many North Dakota farm leaders.

The editorial—the only one in the magazine and occupying almost an entire page—is captioned: "Greed On the Farm," and it charges that American wheat producers are hoarding wheat "to get famine prices."

The whole tenor of the editorial is that the farmers of the United States are so greedy they would willingly let people starve to make a few extra pennies.

Saying there were 200,000,000 bushels of wheat left on the farms last week, the editorial makes this comment:

"It is not enough to save the world, or even to fulfill our promises, but it is enough to choke the farmers who are hoarding it."

This is typical of comment which was coming from some of the country's editorial writers and radio commentators early in the campaign to get the wheat off the farms, evidence of woeful ignorance of the situation, and scotched in his public address at Climax, Minn., by Clinton Anderson, Secretary of Agriculture.

"In view of the fact that most of this wheat is on the farms because farmers couldn't get cars to haul it, because the Government agencies failed to recognize the extent of this most terrible food-shortage tragedy that was developing through the fall and winter, I should think this editor would choke on his own words," said Mr. Plath.

"It is deplorable that one ignorant man, sitting in some eastern editorial office, can blast away the good repute of thousands of farmers who are eager to get this wheat to the starving people, who did not need any 30-cent bonus to get their grain in.

"Can't these eastern people understand that the farmers didn't haul this grain—for the most part—because it was a physical impossibility to get it off their farms, unless they took it to town and dumped it on the ground? The cars were not moved in fast enough to the elevators, hundreds of which were blocked for months last year."

Mr. WHERRY. Mr. President, will the Senator from North Dakota yield?

Mr. LANGER. I yield.

Mr. WHERRY. Is it not a fact that the very condition mentioned by the Senator was forcibly brought to the attention of the Senate weeks and weeks ago by the distinguished Senator from North Dakota, the fact that trucks were needed in the Northwest in which to haul the wheat which was then awaiting cars for transportation—wheat produced by the very farmers who have been accused?

Mr. LANGER. As the distinguished Senator from Nebraska says, that matter was brought to the attention of the Senate, to the attention of the Department of Agriculture, and to the attention of President Truman himself, time and time again. Finally, through Senate Resolution 185, we had an investigation, presided over by the distinguished Senator from Tennessee [Mr. STEWART], and when he was not present, the Senator from Kansas [Mr. REED] presided. We had men here from every part of the United States, from all over the West, begging and begging for boxcars so that the farmers could transport their wheat in.

The Senator from New York [Mr. MEAD] said they were unable to get 7,000 western boxcars because of a great storm in Buffalo. Then, when those boxcars were cleared, there was a second storm. Thousands of those cars were in the eastern section of the United States, and hundreds of elevators in North Dakota were blocked.

We had meetings with Mr. J. Monroe Johnson—and I think the distinguished Senator from Nebraska was at some of the meetings—where we begged for boxcars.

Now we have this article in Life, and it is accompanied by a picture which I want every Senator to see. It is a picture of hundreds of grain bins in which wheat was supposed to be stored. The editor of Life said they were all filled with wheat. He says they were in Jamestown, N. Dak.

Mr. President, what is the truth about the situation? The article in the Fargo Forum, quoting comment on the Life editorial, says.

"Secretary Anderson has explained to all the press associations and made the statement over a Nation-wide hook-up, that there is no evidence that farmers hoarded their wheat. He said that, as a matter of fact, despite the car shortages the railroads and the farmers through heroic efforts were able to and did move vast quantities of wheat into the terminal markets last week."

Checking back in its files to get the picture of last year's troubles during the normal wheat marketing time, the Fargo Forum finds Mr. Plath's statement fully justified.

In August last year the Fargo Forum began carrying stories about the huge grain movement and the fact that cars were not being received by the northern lines fast

enough to meet the demands rolling in from the country elevators.

The huge movement was hampered by an ICC ruling which prohibited, for a time, the stopping of grain cars at sampling points, according to protests filed by C. H. Conaway of the North Dakota Farmers Grain Dealers Association and by the traffic committee of the Minneapolis Chamber of Commerce.

I might say, Mr. President, that at that time both the junior Senator from North Dakota [Mr. Young] and myself protested that ruling. My colleague happened to be in North Dakota at the time, so he and Representative ROBERTSON of North Dakota, went to Minneapolis and had conferences with the traffic association. I had a conference with the heads of the railroads—four of them—seeking boxcars, so that the elevators could send their wheat to market. I continue the quotation from the Fargo Forum:

That led to a blockade at the terminals which resulted in an embargo on grain shipments for a time. It was reported in the Fargo Forum, September 8, 1945.

Also early in September the Fargo Forum carried a headline "Boxcar bottleneck blocks 461 elevators."

I might say that that did not include the elevators in the State of Montana, and the distinguished Senator from Montana [Mr. WHEELER] also appeared when my Resolution 185 was being considered, and pleaded that something be done so that the wheat, some of which was piled up outside the cars, and in some instances, flax, could be taken to market.

The shortage continued all through September and October and into November. On November 1, the Forum reported 293 North Dakota blocked elevators.

By then winter conditions, blocking country highways with snow, began to slow the movement, and all through the winter and into the spring, that situation prevailed, as the Fargo Forum has explained on several occasions.

Then it was time for seeding—and up to the first of this week—

The article appeared on May 8—

farmers have been hard pressed to get their wheat and feed crops planted. They are just now beginning to get in position to move a large tonnage of wheat, and it is beginning to roll into the elevators, as late dispatches from country points indicate, in great quantities.

Then the Fargo Forum—and, as I have said, this is a newspaper with the largest circulation in North Dakota—said this:

The editor of Life owes the wheat producers of the Nation an apology and should publish a refutation of these baseless charges.

Now I wish to refer to the picture in Life. Of course, Life is a magazine which has a tremendous circulation all over America. On its lead page Life reproduces this picture of a great many grain-storage bins at Jamestown, N. Dak., with this caption:

North Dakota storage bins—

These are at Jamestown—

and fields hold 20 percent of the United States wheat supply and therefore the fate of millions.

The fact is these are not farm storage bins—they belong to the Commodity Credit Corporation—

They were not owned by the farmers at all, as Life magazine said, Mr. President, but owned by our Government—they belong to the Commodity Credit Corporation—a Government agency, and there is not now and there was not at the time the picture was taken, one bushel of wheat in those bins.

Yet Life says that 20 percent of all the wheat that was in this country and that was needed to feed those who were starving, was in storage here.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. WHERRY. If there had been any grain in those bins it would have been out of the hands of the farmers and would have been in the ownership of the Commodity Credit Corporation.

Mr. LANGER. Yes.

Mr. WHERRY. The farmers themselves were not hoarding it, because whatever went into those bins went into the ownership of the Commodity Credit Corporation.

Mr. LANGER. That is true. These bins had been filled months ago, and the wheat had all been shipped away, and the bins were then empty. There was not a single bushel of grain in them at the time this picture was taken.

Mr. WHERRY. It was out of the control of the farmers who produced the wheat. The wheat originally placed in the bins went into the storage of the Commodity Credit Corporation, a Government agency.

Mr. LANGER. Yes.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. HATCH. I want to ask if the Senators know whether they are making quite a true statement about the wheat in the hands of the Commodity Credit Corporation being entirely out of the control of the farmers. That statement is not quite correct.

Mr. WHERRY. Mr. President, will the Senator again yield?

Mr. LANGER. I yield.

Mr. WHERRY. It is a fact that the farmers can take wheat to an elevator and place it in storage, but when they borrow money on that wheat the Government owns the wheat. The farmers can elect to sell, it is true, whenever they want to sell under the provisions of the contract, but when they place the wheat in the bins it is out of the farmers' control; it is then in bins belonging to the Government. It is in storage in the Commodity Credit Corporation bins, and the farmers do not have anything to say about it.

Mr. LANGER. The Secretary of Agriculture has said just what the Senator from Nebraska now says.

Mr. HATCH. Mr. President, I do not desire to interrupt the Senator or to get into a discussion, but clearly to me the implications were entirely wrong and quite far beyond the provisions of the contracts between the Commodity Credit Corporation and the farmers.

Mr. LANGER. I continue to read:

There is not now, and there was not at the time the picture was taken, one bushel of wheat in those bins.

That is the statement of John Kasper, Fargo, State chairman of the production marketing administration, which has charge of the grain bins of CCC in North Dakota.

And I may say, he is one of the best grain men we have had in North Dakota.

Mr. WHERRY. Mr. President, will the Senator again yield?

Mr. LANGER. I yield.

Mr. WHERRY. I expected the Senator from North Dakota to answer the Senator from New Mexico. The point I want to make is that there are no erroneous implications in what I have said relative to the control of the wheat in the Commodity Credit Corporation. The wheat is held in the bins under contract. There is nothing the farmer can do to take the grain back. The only thing left for him to do is in connection with the price at which the wheat is to be sold. There is no chance to get the wheat back. He has to sell it under the provisions of the contract, and, so far as the contract is concerned, his possession of the grain is past. I agree that he may elect to sell at a certain price, but under the provisions of OPA there would be no increase in price. In reality, as the distinguished Senator from North Dakota said a moment ago, there is no grain in those bins, but if there were any grain in the bins the farmers would be obliged to accept the OPA price. The farmers, under the contract, would be obliged to take the OPA price. They would be obliged to sell it under the OPA regulations whenever they wanted to sell it.

Mr. LANGER. Senators, look at the picture in Life magazine. Here is a picture of a great number of bins, and below it says:

North Dakota storage bins—these are at Jamestown—and fields hold 20 percent of the United States wheat supply, and therefore the fate of millions.

As a matter of fact, according to the head of the North Dakota Farm Bureau and according to John Kasper, State chairman of the production marketing administration which has charge of the grain bins of CCC in North Dakota, there was not one bushel of wheat in any one of those bins.

The article in the Fargo Forum continues:

There are 220 empty grain bins, having a storage capacity of 500,000 bushels at Jamestown. These bins were brought in several years ago, when it was necessary for the CCC to provide a great amount of additional storage bins when huge crops during the early war years came on top of large farm reserves on North Dakota farms.

Mr. President, I want to give to the Senate the reaction of some farmers to the article published in Life magazine. I received a letter this morning from Mr. William Ehlers, of Barney, N. Dak. I read a portion of his letter addressed to me as follows:

Did you read the article in Life magazine about where they accuse the farmers of hoarding wheat? Would like to meet up with the editor and give him two nice black eyes. That is what us farmers get for working 18 hours a day to help feed the skunks. We are not the only ones who are mad. Our neighbors are all with us.

Here we have farmers who worked 18 hours a day, who had done everything in the world they could to feed the starving people of other lands. Farmers sold their wheat at \$1.50 when they should have received \$2 a bushel. Their wives went out in the fields and worked; their little children went out in the fields and worked. They did not hoard any of the wheat. They took it to town as soon as the roads were open so that they could get it to town. They hauled in all the wheat they produced, except the little bit needed at home for seed. Then, having done all that for suffering humanity, we find a magazine coming out with such a picture as this, which says that here is 20 percent of all the wheat to help relieve famine in the world, when, as a matter of fact, there is not one single bushel in the bins pictured here. I agree with what the editor of the Fargo Forum says—and I might say that I do not remember when that newspaper supported me politically, and if it did, it was by accident—I agree with the editor when he says:

The editor of Life owes the wheat producers of the Nation an apology and should publish a refutation of these baseless charges.

That, Mr. President, is the situation so far as wheat is concerned.

#### PROPOSED SOUTHWEST POWER AUTHORITY

Mr. MOORE. Mr. President, among many bills that are pending in this Congress today that are intended to hasten all private enterprise into some form of statism is legislation for an agency known as the Southwest Power Authority, which, if the money were made available to it that is contemplated by the measure, would effect Government ownership of all power facilities within five Southwestern States, comprising an area of 350,000 square miles. This legislation does not even employ the camouflage language of flood control, but asserts that it is a "power authority." When the TVA was being so strongly advocated it was dressed up as a flood-control project and it is thought by the most ardent advocates that, if it had been designated as a power authority, it would have been held to be unconstitutional.

Appropos of this Southwest Power Authority legislation, it will be noted that the Speaker of the House has asserted that he will fight to the last ditch for the restoration of the preliminary appropriation which has been reduced by the Committee on Appropriations to some extent. If this program were carried out, it would supplant all private power ownership in this vast area.

The Tulsa Daily World has published an editorial entitled "Power Scheme Checked," and I ask unanimous consent that this editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### POWER SCHEME CHECKED

Action of the House Committee on Appropriations in cutting off the major part of a big preliminary budget for the Southwestern Power Administration was highly important in several ways. First, it raised a substantial barrier against the immediate expenditures



and indicated a purpose to fight the main appropriation. Second, the action represented the recurring sanity of the public and the disposition to rebuke vast Government spending for special purposes.

It is possible, of course, the scheme, which involves a power network to cost up to \$200,000,000, may survive this set-back, but the chances are against it. The public is gradually being aroused to the danger of governmental domination of everything. The trend is back to normal business and common enterprise. Speaker SAM RAYBURN announces there will be a real battle for the \$23,000,000 budget, which was the subject upon which the committee operated, and we can well believe him. RAYBURN's district is his personal battleground; he has gotten a great deal for his territory and he wants a lot more. The Denison Dam is one of his projects. What his desires and ambitions will cost the Government unless this scheme is checked would be hard to estimate. He distinctly represents the element which insists upon almost unlimited public enterprises for fairly narrow purposes.

The present effort to place a network of power lines over the great district in reach of the lakes already created at Government expense is a continuation of the socialistic and New Deal plans for overcoming enterprise and putting the Government over all private or business affairs. The show-down may be coming now. The scheme is to utilize the dams and other big improvements for further encroachments upon business or private enterprise. These improvements are constantly being built into political power.

In such matters as this there should be business methods and the application of sound financial precepts. In the present ambitious southwestern scheme there should be a requirement for a showing of necessity. Theoretical and speculative and special benefits are not enough. This scheme calls for the expenditure of public money in overpowering amounts, and it should be subjected to the severe scrutiny usually applied to smaller affairs.

#### PERSONS EMPLOYED BY COMMITTEES WHO ARE NOT FULL-TIME SENATE OR COMMITTEE EMPLOYEES

Mr. WHERRY. Mr. President, I have in my hand the latest report of the Surplus Property Subcommittee on borrowed personnel. This report is found on page 4533 of the CONGRESSIONAL RECORD for May 7, 1946.

The report is properly made pursuant to Senate Resolution 319, Seventy-eighth Congress. It reports the name and address of each person who is not a full-time employee of the Senate, the name and address of the department or agency paying the salary of each such employee and the annual rate of compensation. The chairman's letter of transmittal also states that the department or agency so listed will be reimbursed by the subcommittee in the amount of the salaries paid to such employees, pursuant to Senate Resolutions 77, 201, 210.

I wish to call attention of the Senate to the fact that Senate Resolution 77 and Senate Resolution 319 are entirely independent of each other. Senate Resolution 319 is still in full force, and it requires all Senate committees to report the above noted information on all persons who are borrowed by Senate committees but who are not full-time employees of the Senate. Committees which are now required to reimburse the departments or agencies from which

their personnel is borrowed are not exempted from the provisions of this resolution. They must continue to report.

#### MEDIATION OF LABOR DISPUTES

The Senate resumed consideration of the bill (H. R. 4908) to provide additional facilities for the mediation of labor disputes, and for other purposes.

The PRESIDING OFFICER (Mr. HOEY in the chair). The question is on agreeing to the amendment offered by the Senator from Virginia [Mr. BYRD] as a substitute for section 8 of the committee amendment, on page 28.

Mr. MURRAY. Mr. President, at the opening of the debate on the Case bill, H. R. 4908, I should like to address the Senate briefly on the background of the vital national issues involved in this proposed legislation.

Labor disputes and strikes in all industrial nations create problems of the gravest public concern. When we review the history of labor disputes in America over the years, we cannot but feel impressed with the fact that we have already surmounted some of the most serious dangers which have threatened the continuation of democratic government in America.

We have made great strides of progress from the days when labor-management controversies were uniformly resulting in violence, bloodshed, destruction of property, and demoralization of civil authority. Gradually a semblance of law and reason has been growing up in this country under which we have been meeting these problems with an ever-increasing degree of intelligence and sound public policy. But, Mr. President, we have just passed through a great war which has created an unprecedented convulsion in our social and economic life, and we are confronted today with a period of unrest in the field of labor and management which is challenging our democratic procedures.

Mr. President, the ordeal of war is invariably followed by a painful period of reconversion to peace. This is the record of wars all down through history. The years 1919 and 1920 were filled with labor strife and economic disorder. In fact, 1919 was one of the worst strike years in history. During World War II labor and management were subject to manpower controls, wage controls, and price controls. It was total war, and our entire economy was transformed into production for war purposes. Civilian production was held to a minimum. The end of the war came suddenly. It was not to be expected that the transition to a peacetime economy would be less difficult than in 1919, even though the change-over following that war was a good deal less extensive.

The year 1945 and the early part of 1946 have been marked by several serious labor disturbances. In steel, automobiles, electrical and farm equipment, and now in coal, strikes of serious national concern have taken place. There is no question that regardless of where the fault may lie, whether with management or with labor, the Congress and the public are vitally interested in expeditious settlement of the issues. The threat to

inflation engendered by labor disputes is not to be minimized. Nevertheless, there are certain long-run objectives to be considered. In our eagerness to achieve full production we should not overlook the danger of seeking a short-term victory through compulsory techniques and losing the long-term objectives of the preservation of freedom and democracy.

Your committee has given serious study to many diverse proposals for facilitating the settlement of labor disputes. We have attempted to be guided by the dictates of reason rather than by the impulses of emotion. We devoted many weeks of hearings, during which we examined and questioned the country's leading experts on labor relations. We have come to the conclusion, after many hours spent in executive session, that no legislation can be enacted which will be of utility in solving the existing strikes. Legislation aimed at any one labor leader or any one industrial concern will prove illusory. By the time such legislation has finally been enacted the isolated disturbance at which it is aimed will have been adjusted and the unsatisfactory elements which are inevitably present in legislation aimed at any one group would nevertheless remain. We must legislate not for the fleeting present, but for the long tomorrow.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. LUCAS. Suppose they are not adjusted.

Mr. MURRAY. They will be adjusted by the regular processes of collective bargaining.

Mr. LUCAS. Can the able Senator, who is chairman of the Committee on Education and Labor, guarantee to the American people that the coal strike will be settled?

Mr. MURRAY. Yes; but it cannot be settled by legislation at the moment.

Mr. LUCAS. I am not asking that. The Senator told the Senate that these questions would be adjusted.

Mr. MURRAY. Yes. They must be adjusted, though, with justice to both sides.

Mr. LUCAS. I want to know whether the able Senator can guarantee to the American people that the controversy which is now existing between the operators and the miners will be adjusted.

Mr. MURRAY. I am not a prophet, but I undertake to say that the settlement will occur within a few days. The parties are now engaged in an earnest effort to bring about a settlement of this strike, and if they are given an opportunity, I am sure that they will bring about a settlement.

Mr. LUCAS. The Senator realizes, of course, that industry after industry has been shut down, and that already billions of dollars have been lost because of the coal strike. The only thing the Senator from Illinois is vitally interested in is the statement which the Senator makes, because that is exactly what the American people want to know—whether the coal strike is going to be adjusted. The Senator gave us a blanket declaration that it would be, and I wondered if

he really knew or if he were merely prophesying.

Mr. MURRAY. I can say with full assurance that we shall not settle it by restrictive labor legislation at the moment. Congress itself has been remiss, I think, in not meeting this problem long ago, when we had the problems of reconversion before us. At that time we gave industry every opportunity, under most favorable terms, to reconvert. We gave industry liberal tax laws; we gave industry a Contract Termination Act, which enabled it to take full advantage of its activities during the war and to fill its treasuries with profits as a result of the settlement of contracts. But nothing was done to aid labor to become reconverted to postwar conditions.

Mr. LUCAS. Mr. President, will the Senator further yield?

Mr. MURRAY. I yield.

Mr. LUCAS. I do not wish to labor that question at the moment. That will be discussed, perhaps, as we proceed with the debate. But the Senator made a flat statement which interests me considerably, and I think it must be of some interest to the Senate and to the country. I shall stick to the point, Mr. President, and the only thing I ask the Senator is this: If the coal strike is not settled within the next few days, what does the able Senator propose to do, as creeping paralysis seriously threatens the public health, the safety, and the welfare of the Nation?

Mr. MURRAY. What could be done more than what is being done? We cannot settle it by drastic labor legislation at the moment. The trouble is, as I have stated, that the Senator from Illinois and the rest of us have been remiss in undertaking to adjust our economic conditions so that strikes would not occur.

Mr. LUCAS. Then, Mr. President, if I understand the position of the Senator from Montana, it is that no one in the Congress or in the executive branch of the Government can do anything, and that, regardless of whatever a labor organization wishes to do or whatever the operators wish to do in connection with the coal strike, we are a powerless, helpless group, unable to do anything to aid in the situation.

Mr. MURRAY. That is not correct. The fact of the matter is that the machinery of the Government is already in operation in an effort to bring contending forces together, and they are making rapid strides. We failed, however, to provide a proper program for the reconversion of labor to postwar conditions.

Mr. LUCAS. I certainly hope they will make strides more rapid than the ones the Senator has suggested.

What I am thinking about and what I am trying to picture is what is going to happen to the economy of the Nation and what is going to happen to the welfare and safety of the Nation in the event the strike is not settled. That is what I am interested in. That is what all America is thinking about.

Mr. MURRAY. If the Senator will bear with me, I think that as I proceed with my discussion the Senator will see that our failure is in the past and that everything possible is being done now,

under the existing machinery which we have, and that if there is any fault, it lies with the Congress itself in not providing for meeting the problems which exist today. The Congress did meet the problem insofar as industry is concerned, but the Congress did not meet its obligations insofar as labor is concerned.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. McCLELLAN. I should like the Senator to tell us in what way the Congress has been remiss in not enabling labor to reconvert. If the Congress has fallen down on the job in respect to aiding labor, I should like to have the Senator tell us how the Congress has fallen down.

Mr. MURRAY. Because we have done nothing to meet the changed conditions.

Mr. McCLELLAN. What does the Senator think the Congress should have done?

Mr. MURRAY. I think that when we were legislating for reconversion, we should have enacted legislation to meet the problems of labor in the reconversion period. We failed to do that, and now we are up against an effort on the part of labor to negotiate wage adjustments and to obtain appropriate working conditions for themselves in the reconversion period.

Mr. McCLELLAN. The Senator has made a general statement, but I do not yet understand what legislation the Senator from Montana claims Congress has failed to enact, which it should have enacted, which would have helped labor to reconvert. I should like to have the Senator be specific.

Mr. MURRAY. Mr. President, I cannot now write a bill on the floor of the Senate while I am engaged in this discussion; but the Senator from Arkansas knows that at that time the Congress should have enacted legislation to bring about a readjustment of conditions so that labor might continue to work and to earn wages which would enable workers to live. For instance, in addition to wage adjustments we should have enacted a national health measure. We should have expanded our social-security system. We should have done many things.

Mr. McCLELLAN. If that is the Senator's explanation of the way the Congress has been remiss, I submit that the steps he has mentioned would have had no effect on earth on reconversion for labor.

Mr. MURRAY. I ask the Senator whether he thinks we should sit idly by, here, and do nothing to bring about a readjustment of wages and working conditions for labor in this country while even before the war ended we were doing everything necessary to make adjustments for industry?

Mr. McCLELLAN. No; I do not think we should sit idly by. I think we have done that too long already, and I think that is the reason why we have the present conditions.

I do not agree with the Senator that the Congress or the Federal Government is impotent and that it is impossible for it to do something about present conditions.

Mr. MURRAY. Mr. President, my position is that we must legislate, not for the fleeting present, but for the long tomorrow. The dangers of hasty legislation aimed at any particular individual are well illustrated by the ill-advised Smith-Connally Act. The Congress enacted that statute under circumstances almost identical with those existing today. Then, as now, there was a serious and bitter coal strike. Then, as now, John L. Lewis was the object of attack. If we allow our emotions concerning one man to distort our perspective, we shall make the same mistake all over again. Let us profit by the lessons of experience and let us consider the problems of the settlement of labor disputes in the spirit that makes for wise statesmanship.

As we have indicated in our majority report, the primary emphasis for the settlement of disputes must be placed upon collective bargaining. That is the only way we can handle these problems in a democratic country. Governmental intervention must be kept at a minimum. If labor and management are to develop in the process of self-government, they must settle these problems themselves. In many industries collective bargaining has a long history of success. We must not forget that collective bargaining has that long history. We must not forget that collective bargaining, as an instrument for the settlement of disputes, did not receive any tangible Government assistance until 1935, with the enactment of the National Labor Relations Act. In many basic industries it was not until 1937 that the unions won recognition. For nearly 4 years during the war period, collective bargaining was not free to function. We must give collective bargaining a fair opportunity to succeed.

Your committee thinks that the best way in which the Government can give assistance to the development of collective bargaining is to improve our conciliation and mediation services. The Committee bill would establish a five-man Federal Mediation Board, whose members would receive salaries of \$12,000 a year. The Board would mediate and conciliate disputes and, where other means failed, would attempt to persuade the parties to arbitrate their differences. The Board would encourage the use of collective bargaining and the use of voluntary arbitration, particularly in situations involving grievances under existing contracts.

The committee rejected all proposals to limit or abridge the right to strike. As stated in the majority report, "the right to strike is one of the principal democratic freedoms." Where employees do not have such a right, the bargaining power of employers greatly outweighs that of the employees. If the right to strike is abridged, the protection of labor under the Wagner Act is an empty gesture. While the employees may be protected in their right to organize, they will not be able to obtain a fair bargain. Where resort to the right to strike is taken away, employers will have no pressure on them to make concessions or compromises.

Mr. BALL. Mr. President, will the Senator yield?



Mr. MURRAY. I yield.

Mr. BALL. How does the Senator square his statement that any kind of regulation or limitation on the right to strike in effect destroys the bargaining powers of labor unions with the fact that in many States there are laws which require unions to withhold strike action for 10 days or 30 days? We have such a law in my State. Since it was enacted, the unions have grown steadily in membership, in influence, and in bargaining power. It does not seem to me that our experience and the facts jibe with the Senator's statement.

Mr. MURRAY. I am not entirely familiar with the situation as it exists in the State of Minnesota, but I believe that the correct democratic method of handling labor disputes in a democratic country is to allow both sides to sit around a table and settle their disputes under the collective-bargaining process. If that is not done, and an effort is made to tie down labor on the one side without also tying down industry on the other, labor will be placed at a disadvantage. If we attempt to introduce labor controls of the nature proposed we will be forced to enact legislation controlling all industry, as well as the workers, and in so doing we will develop a totalitarian instead of a democratic form of government.

Mr. BALL. Mr. President, in view of the Senator's statement, does he consider that the Railroad Labor Act is an undemocratic form of legislation, and that the great railroad brotherhoods are weak and powerless unions? I may point out that they operate under the kind of law such as that to which the Senator has referred.

Mr. MURRAY. I do not know whether it has been completely demonstrated that even that method is the best method. A strike is now being threatened among the railroad workers. I am inclined to believe that under our democratic form of government, the proposal which I have made is a sound one.

Mr. BALL. The Senator's argument was that any limitation on the right to strike would destroy the effectiveness of unions. The limitation to which reference has been made has already been placed in the Railroad Labor Act. It has been there since 1926. Yet, the railroad brotherhoods are among the most completely organized unions in the country. They are organized about 100 percent. On the basis of what experience and facts does the Senator make his statement?

Mr. MURRAY. Conditions in the railroad industry are somewhat different than those in industry generally. Already railroads are controlled. If there is a desire to control all other forms of industry in the same way railroads are controlled, we might have laws regulating industry similar to the Railroad Labor Act. But I am not in favor of it. I am in favor of the private enterprise system. I am opposed to totalitarian methods. I want to see our enterprise system conducted in such a way that labor can sit at a table and negotiate for what it is entitled to receive without unfair restrictions.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. MORSE. I think the Senator has made a vital point which we should keep in mind when speaking of the Railroad Labor Act of 1926. When we speak of that act we are speaking about an industry over which the Government exercises tremendous controls in a variety of ways. It is quite a different thing to seek to exercise restrictions over labor in industries in which the employers are not subject to the same checks as those to which the railroad industry is subject.

Mr. President, there is another point in regard to the Railroad Labor Act of 1926. I think we may say that the act has certainly been successful in bringing about a rather high degree of stability in the railroad industry, but like many other public concepts, the concept that the Railroad Labor Act has been 100 percent effective is not true. As a matter of fact, it has not been nearly so effective as the public has been led to believe. There are many things with reference to the Railroad Labor Act which have not worked out as well as the proponents of the act would have us believe.

We should also keep in mind the fact that the railroad brotherhoods have never hesitated, since the enactment of the act, to exercise the great power of the threat to strike. The power which is encompassed in the threat to strike in the railroad industry has brought about a great deal of modification of some of the decisions of the Board which was established under the Railroad Labor Act. I speak with some experience in that regard, and as one who was subject to more or less criticism, even on the floor of the Senate before I became a Member of the Senate, in regard to the decision of 1941.

Of course, those who criticized had not taken time to read the decision of November 5, 1941, or they would have found that the decision was in two parts, namely, a decision on the merits in the case rendered by the Board as an arbitration tribunal, and second, a decision rendered by the members of the Board as mediators who had been asked to mediate the dispute following the refusal of the brotherhoods to accept the decision of November 5, 1941. The final decision was reached after the carriers and brotherhoods had admitted that they could not go along with the decision which had been reached on the merits because, as the brotherhoods contended, an enforcement of the decision would mean a railroad strike. I am not criticizing the brotherhoods for their attitude, but I wish to point out that they have a right, under the act, either to accept or reject a decision. After a decision has been reached they then have the right to strike.

A great deal of public misconception with regard to the Railroad Labor Act lies in the belief that the act is a preventive of strikes on railroads. Such strikes have occurred in the past, and they will occur in the future whenever the brotherhoods believe they have sufficient power in connection with specific disputes to obtain a modification of a de-

cision through mediation or intervention by the Chief Executive.

In 1941, after the decision of November 5 had been handed down, the Chief Executive intervened. He did not go along with the report as originally filed, although he admitted to the Board that it was an excellent report. But at four separate times he tried to settle the dispute after a decision on the merits had been handed down, and when he reconvened the Board on November 8, 1941, he said, "I want you to take back the case because we are further apart now than we were before attempting to arrive at a settlement." It was then that the brotherhoods and the carriers asked us to mediate a settlement.

The point I am attempting to make, Mr. President, is that mediation was consummated in the face of a threat on the part of the brotherhoods to strike unless they received a settlement which would be fairly satisfactory to them.

Mr. MURRAY. I thank the Senator for his remarks. He has pointed out the vast difference between the situation with which we are now confronted and the situation which is generally involved in railroad-labor disputes. He has also pointed out that the system which was adopted with regard to the settlement of railroad-labor disputes is not so perfect as some of us have been led to believe.

Mr. BALL. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. BALL. My original question was prompted by the statement of the Senator from Montana that any abridgement or limitation of the rights of unions to strike would, in effect, destroy their power and effectiveness. I merely cited the various State laws, including one in Minnesota, which do limit the right to strike. The Railroad Labor Act limits the right of members of unions to strike. Such limitations have not in the least weakened the unions. My remarks were being directed only to the Railroad Labor Act, and the Senator from Oregon and the Senator from Montana got into a discussion of the merits of a particular limitation which we are not discussing at this time.

Mr. MORSE. I certainly shall not disagree with the Senator from Minnesota that we may establish certain restrictions upon the right to strike which would not destroy unions. However, I wish to see the proposed restrictions before I accept the general premise that restrictions do not endanger the freedom of the workers to organize for their own protection.

Mr. MURRAY. I should like also to see some balancing provisions to protect labor. If it is desired to propose legislation which would restrict the right of labor to strike, labor should be given something on which it can stand and enforce its rights in situations of that kind.

Mr. LUCAS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Illinois?

Mr. MURRAY. I yield.

Mr. LUCAS. As I understand, we are now talking about a coal strike and not a railroad strike. The Senator has been

discussing collective bargaining. That term will be debated here and talked about a good deal. Would the Senator tell the Senate what he understands to be true collective bargaining?

Mr. MURRAY. True collective bargaining is a situation where both sides stand on equal ground. They cannot stand on equal ground when one side is all-powerful and has the power of the press and the power of every other economic advantage, including wealth, on its side. Labor has only one strong ground to fight on, and that is the right to strike. If that is taken away from them they are deprived of their most fundamental right, and it is destroyed.

Mr. LUCAS. I am talking about collective bargaining which the Senator was discussing before he began to refer to railroads and the question of the right to strike. I should like to stay with collective bargaining for a moment, and elaborate a little upon it. The Senator is an expert upon labor legislation, and has been a very faithful chairman of the Committee on Education and Labor. Am I correct in my understanding that under the Wagner Act only the operators for instance in the case of the coal dispute are forced to collective bargaining, and that the miners or the union are not forced to collective bargaining?

Mr. MURRAY. There is no merit to that argument.

Mr. LUCAS. I am not making an argument. I am simply asking a question for my own information.

Mr. MURRAY. I shall be glad to answer the Senator. There is no need to enforce collective bargaining against labor. That is a thing they demanded and fought for, and which they finally won. And are now following.

Mr. LUCAS. And I supported it.

Mr. MURRAY. They are following it, but an effort has been made to hamstring them in their collective bargaining process and to weaken their position.

Mr. LUCAS. Let me say to the Senator that I supported the Wagner Labor Relations Act as a Member of the House of Representatives in 1935; but what I am interested in is the immediate, primary emergency which the country is facing. Assuming the newspapers are giving the American people the facts, I should like to know whether or not the Senator believes that John L. Lewis was doing a true piece of collective bargaining when, according to the press, he met with the coal operators for two weeks or more to discuss this question and never once raised the issue. I should like to know whether or not that is collective bargaining.

Mr. MURRAY. I did not sit in on those conferences.

Mr. LUCAS. I said, "assuming the facts I have suggested are true," I should like to have the Senator answer.

Mr. MURRAY. I am not here seeking to defend John L. Lewis or any other individual. I am here seeking to protect the rights of labor generally in connection with this problem when they seek to have their rights respected and settled by the collective bargaining system. If one man makes a mistake, if John L. Lewis, according to the statement of the

Senator from Illinois has done something that is wrong, that is another problem.

Mr. LUCAS. But the Senator is also interested in the whole country, I take it, at the present time.

Mr. MURRAY. Yes; I certainly am.

Mr. LUCAS. I am interested, too, in labor's rights, and always have been, but I am also interested in seeing my country go along in an orderly fashion, and, so far as I am concerned, I am going to do everything within my power to see that no one man and no one minority group in this country, whether it be labor or management, shall be placed in a position to stifle the economy of the Nation to the point where the national welfare and safety of the people of the United States as a whole are seriously threatened. As I see this picture, I think that is in the offing, unless somebody comes to reason and does what ought to be done.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MURRAY. I yield to the Senator from Oregon.

Mr. MORSE. If I understand properly the actual question put to the Senator from Montana by the Senator from Illinois, I will agree with the Senator from Illinois if the facts are that Mr. Lewis for days on end in fact refused to discuss the merits of the controversy with the operators and refused to make any offers or refused to make any counteroffers if offers were made by the operators, and that he did not participate in collective bargaining. If that be the case, if in a great labor dispute either party does not sit down in good faith with the other party and try to make offers and meet offers, I remind the Senate of the great General Motors strike some 2 months ago. In my judgment any Senator who has read the statement of a committee of leaders that went over the record in that case must agree that the officials of the General Motors at no time made any attempt to proceed in good faith with collective bargaining on the issues involved in that dispute.

The point I make to the Senator from Illinois is that when it comes to labor disputes, if there is found a case where labor has not lived up to its obligations there will be found many cases of employers not living up to their obligations. I think, as I said last Friday afternoon, what the Senate needs is to have an objective study made by impartial Members of the Senate into the causes of labor disputes as they are involved in both union and employer practices in this country; and come back here next fall with a body of material on the basis of which the Senate could pass intelligent legislation.

Mr. MURRAY. I agree with the Senator. Such a study should be made free from the emotions of the moment. We cannot expect to enact competent and effective legislation at a time when people are excited and wrought up.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. LUCAS. I do not know what the conditions in the State of the Senator

from Montana have been but had he been living in Illinois and had seen industry after industry shut down, if he had seen the dim-out which took place in that State and had seen people in the metropolitan and urban areas of Chicago working from 2 to 6 o'clock in the afternoon, I am sure he might have become a little excited about it. I doubt that I am overly excited as a result of this situation when I analyze the dark facts before me. While I am on my feet I should like to ask the Senator from Oregon if he agreed with what the General Motors officials did as a result of not bargaining with the labor group.

Mr. MORSE. Mr. President, will the Senator from Montana yield in order that I may reply to the Senator from Illinois?

Mr. MURRAY. I yield.

Mr. MORSE. Has the Senator read some of the comments I have already made on the floor of the Senate?

Mr. LUCAS. I cannot read everything the Senator says; it would take too much time.

Mr. MORSE. If the Senator feels that way about it, I do not know whether I can now elucidate my position for him. I do not know how any man could be more critical than I have been of what I call the lack of industrial statesmanship portrayed by officials of General Motors or the General Motors organization. So far as coal is concerned, I may say to the Senator from Illinois, I think I have had a little experience with the coal operators as well as with John L. Lewis, and I do not know anyone who has been more critical of Mr. Lewis in the past than has the junior Senator from Oregon. Let me say that, within my knowledge, the coal operators have never appeared in a coal case in this country, including the present one, with clean hands.

Mr. LUCAS. I do not know anything about the coal operators, and I know very little about the labor leaders; but speaking as one individual, I know that such a condition exists in the country at the present time that if this coal strike should come again at the conclusion of a period of 2 weeks, the Senate as well as the executive department and the other branch of Congress, must continue to give their utmost consideration to it.

Certainly I agree with the Senator from Oregon insofar as the industrial leaders in Michigan in connection with the strike in Detroit are concerned. I had something to say about that strike situation some 2 months ago in a speech at Springfield, Ill., and I did not hesitate to condemn both labor and management at that particular time, because of what was going on or what I believed was going on in the way of affecting the reversion program in which all America was interested. I am glad to hear the able Senator say that he has taken the same position with respect to John L. Lewis in this crisis insofar as collective bargaining is concerned as he did in the case of the General Motors strike. Both industry and labor should do something constructive in this crisis, sacrifice, give and take, demonstrate superb statesmanship in order that America and her



people may enjoy liberty, happiness, and security.

Mr. MORSE. Mr. President, will the Senator from Montana yield further?

Mr. MURRAY. I yield.

Mr. MORSE. In reply to the Senator from Illinois, let me say that I think we are, perhaps, not too far apart insofar as fixing the responsibility for the present coal strike is concerned. I have consistently taken the position, and take it again today, that if and when a stalemate is reached, as it appears to have been reached in the coal strike, the solution ought to be for all sides concerned, including the Government of the United States, to agree voluntarily to arbitrate their differences, because, in the present state of mind which permeates this country, I know of no other way in which the facts can be properly considered. If there was ever a dispute in which the American people need to know what the facts are before reaching a conclusion the coal strike is one of them, and if resort could be had by the operators, Mr. Lewis and representatives of the Government to the judicial process of voluntary arbitration of the dispute, a fair and decent settlement would be reached. I criticize all three groups, and have done so on the floor of the Senate in days past, for not following that procedure. I think today—and I say this sincerely—to the Senator from Illinois—that is the only way to do it. For the life of me, I do not know what legislation we could pass through the Congress of the United States that would settle the coal case on its merits, and, after all, what we need if we are going to have the maximum production we want, is to have the coal dispute settled fairly on its merits; but that cannot be done by way of passing legislation.

Mr. LUCAS. Mr. President, if the Senator from Montana will yield further, I want to say to the Senator from Oregon that I agree with him that voluntary settlement should be obtained between the Government and the operators and the union leaders. That, of course, is the way it should be done; that is what everybody expects, and we are all hoping and praying that settlement will be made in that atmosphere. I am asking the Senator if it is not done, what is the next objective of Congress or the executive branch of Government.

Mr. MORSE. The Senator asked me that question the other day, and I replied to him on the floor of the Senate. I am going to repeat my reply now. If, after the so-called truce passes and we are once again faced with a shut-down of the coal industry, with the result of the shutting down of a great many other industries, I say it is the obligation of a free government to recognize that we have what is in the nature of a general strike or a general stoppage of production, and it must proceed then in the emergency period to exercise all the force of the Government to keep its economy operating. If that means seizure of the mines, seize the mines; if it means pleading with the workers of this country in the interest of the flag that will fly over the mines to help to settle the difficulty on its merits, that plea should be made.

To put it in a nutshell, what it means is that the President of the United States, under the circumstances, should take steps to exhibit some leadership, which he has not done up to date in the coal case.

Mr. LUCAS. I do not agree with the Senator that the President has failed to give us leadership. Had he been bold and belligerent, I am sure some would be saying that such leadership was that of a dictator, and that he was doing things under his Executive power he had no right to do. That is the argument we would hear, perhaps, if the President had moved in, especially if he obtained no results.

I am glad to hear the Senator from Oregon make the statement that the Government will not be helpless and hopeless and supine if the crisis continues to get worse and worse. I, for one, will never take that position, I do not care who challenges the powers of the President of the United States. Powers have been taken before by Executives of this Government, in the days of Lincoln, and in other days, when some said they did not have the powers sought to be exercised; and they will be taken again, if necessary, in order to preserve free government in this Nation.

Mr. MORSE. Mr. President, with one further interruption, I assure the Senator from Montana I shall be silent. I agree with the Senator from Illinois that the Executive of this country in times past has seen fit to exercise Executive power to meet great emergencies. The late President Roosevelt did it during the war. This is not my first experience with the coal industry. We had a series of coal cases during the war, and, so far as my views are concerned, when we are faced with a complete blockage of production, I think then a free government must take action. But what we should keep in mind is not to let our feelings in regard to certain procedures which have been adopted by the union in a given case blind us to the merits of the case for the miners.

I venture the suggestion that if we walked into a committee room and really had before us the issues which are involved in the coal case, if we really took the data which I think could be presented to us as to the deplorable conditions under which thousands of miners still have to live, in spite of all that has been gained for them in the past 20 years, it would still be plain that their plight, compared with that of many American workers, is a sorry one.

Let us look at just one significant fact, namely, that there is no other group of workers in America whose average life expectancy in occupational employment is as low as that of the coal miners of America.

I have suggested before that the public sometimes becomes the most unreasonable of employers, and once the public is stirred up against a group of men, as it is being stirred up these days against the coal miners, it is easy for the public to forget the great injustices which we, as a public, are imposing upon the men who work down in the bowels of the earth. We are realizing how significant their

work is to our economic prosperity and our national happiness; but as a public we should be willing to pay for coal a price which will enable the men who toil in the bowels of the earth to enjoy a decent wage and the decent standard of living to which they are entitled. We certainly should be willing to provide for them social-security laws and health laws which will protect their working conditions and their health.

I suggest that the Senate of the United States could much better afford to spend some time adopting amendments to the social-security laws and to the safety laws which would give the coal miners the protection they so richly deserve, than to sit here trying to figure out ways of placing strait-jacket restrictions upon free labor in America.

Mr. MURRAY. Mr. President, I wish to thank the distinguished Senator from Oregon. I am not at all embarrassed by his interruption. I think the interruptions have been very fruitful, and we have learned much from his very able remarks.

Mr. AIKEN. Mr. President, will the Senator from Montana yield?

Mr. MURRAY. I yield.

Mr. AIKEN. I have just been reading the amendment proposed by the Senator from Illinois [Mr. Lucas] and while he is on the floor I should like to ask him if I am right in understanding that the purpose of the amendment is to force the coal miners to return to work.

Mr. LUCAS. Oh, no; it does not force anyone to return to work. I do not want to get into a debate on the amendment in the time of the Senator from Montana. If we do, we shall be engaged on that all afternoon.

Mr. AIKEN. I ask, then, what the amendment means in the language I shall read. It is provided that after the Government takes possession of the mines—

Any such employee who fails to return to work (unless excused by the President) or who does engage in any strike, slow-down, or other concerted refusal to work or stoppage of work while such properties are in the possession of the United States, shall be deemed to have voluntarily terminated his employment in the operation of such properties, shall not be regarded as an employee of the owners or operators of such properties for the purposes of the National Labor Relations Act, as amended, unless he is subsequently reemployed by such owners or operators, and if he is so reemployed shall not be entitled to any seniority rights based on his prior employment.

It seems to me that is a plain statement that if he does not return to work he loses practically everything he has of value outside his own family. He loses his protection under the labor laws, he loses his seniority rights, and he loses his right to collective bargaining. That is nearly all most of them have outside of their families.

Mr. LUCAS. He does not lose his right to collective bargaining, but he does lose other rights. I should like to ask the Senator whether he does not think the people of the United States are entitled to some consideration in connection with the present strike, or whether he is willing to let it go on without an attempt on

the part of someone to suggest legislation which might help.

Mr. AIKEN. Of course we want the mines to be operated, but does the Senator from Illinois believe that the adoption of his amendment would result in the miners going back to work?

Mr. LUCAS. I do not know whether it would or not, but I will say to the able Senator from Vermont that it is an effort along that line, and it is the only thing I have seen in the way of an amendment in the Senate which attempts to meet the present emergency. If the Senator has anything better I should like to hear about it.

Mr. AIKEN. I want to do all possible to make the labor relations in this country better.

Mr. LUCAS. I want to do the same thing, but I am not in favor of making labor relations better if the country is going to hell.

Mr. AIKEN. I am not in favor of casting overboard all concepts of liberty under which this country has been governed since 1776, in order to force one man against his will to work for another who will make private gains from such service.

Mr. LUCAS. If the Senator reads anything like that into my amendment he does not understand at all what the amendment means. I am the last person in the world who wants involuntary servitude in this country. Such a thing cannot be done under the Constitution anyway. Everyone knows that we cannot make the men go back to work if they do not want to go back to work.

Mr. AIKEN. I do not think we could make the men go back to work under our present form of government. I was not reading anything into the Senator's amendment. I simply read the amendment.

Mr. LUCAS. The Senator interprets it in the wrong light. He does not understand the amendment; that is all. But I am not surprised at that.

Mr. MURRAY. Mr. President, one of the many mistaken notions that exists in the minds of a large section of the public is that men like to strike. Men do not go without pay nor risk the comfort and well-being of their families except under the most impelling urgency. It is the workers who suffer most during a strike.

Once you take away the right to strike, something must be done to create a balance between labor and management. That means that not only must wage rates and working conditions be regulated, but also prices and profits. Many of those who urge compulsory arbitration and limitations upon the right to strike would be the first to oppose price and profit control, and yet how can it be avoided? The committee is firm in its belief that neither wage control nor price control should be made permanent functions of the Government.

The committee was opposed to the President's fact-finding proposal. In the first place, the committee believes the Secretary of Labor and the President already have the authority to appoint such boards. In addition, both the subpoena power and the cooling-off period were opposed by both labor and management.

Moreover, the committee is of the opinion that if fact finding is set up on a statutory basis the parties to disputes will merely go through the motions of bargaining in the belief that they might do better with the fact-finding board than they could through striking a genuine bargain. It would be very easy, too, for fact finding to develop into public arbitration, a result which we consider undesirable.

For the same reasons, the committee is opposed to the theory that fact-finding boards should be appointed in labor disputes involving public utilities. In addition, fact finding in the public utilities field inevitably is bound up with rate fixing. This means that every time there is a labor dispute in a public utility and fact finding is employed, you have both a wage case and a rate case. Such a result would mean long delays in the issuing of determinations, and delay is generally fatal to the prompt solution of a labor dispute. Employees become restless and strikes inevitably result.

A word might be said at this point about cooling-off periods. Our experience under the Smith-Connally Act ought to demonstrate the futility of the cooling-off period as a cooling-off device. As the Members of Congress well know, the strike notice and cooling-off provisions of the War Labor Disputes Act proved no deterrent to strikes and lock-outs. There is no reason to suppose that such provisions will be any more efficacious now than they were during the war.

Furthermore, attempts to impose sanctions for failure to comply with statutory waiting periods are based on the mistaken notion that compulsion can be effective in labor disputes. Adoption of judicial enforcement measures is undesirable. The courts are not the place for the settlement of labor disputes. Litigation is long drawn out and expensive. The delays involved tend to operate against the financially weaker party. Moreover, the history of the courts with reference to labor disputes is an unhappy one. As was stated in the majority report, "no possibility of the revival of the abuse of the injunctive process which featured the unfortunate era prior to the enactment of the Norris-LaGuardia Act should be afforded." We ought not to turn the clock back by opening the door to the issuance of ex parte injunctions, injunctions of broad scope with punishment for contempt as a threat overhanging the heads of individuals who are merely trying to obtain a better living for themselves and their children.

A good deal has been said to the effect that the Federal courts should be made available for suits under contracts and that all collective-bargaining contracts should be required to be mutually binding and enforceable upon the parties thereto. In all States, however, the law is that either party to a contract is bound thereby. The advocates of the proposal for making contracts mutually binding usually argue, however, that it is difficult to sue a union, even though the contract theoretically is binding on the union. In most of the States, however, unions can be sued in some way or other. In the

few States in which service of process is difficult, the problem apparently is not one of major significance. If it were, the legislators of those States would already have acted and are, of course, free to do so now.

The committee also considered many proposals to deny to supervisory employees the protection of the National Labor Relations Act. The majority of your committee felt that the National Labor Relations Board, a Federal agency expert in the field of labor relations, was the proper tribunal to determine these involved and difficult problems. We were convinced it could not be denied that foremen, for example, are employees. They have their problems of wages and salaries and working conditions, just as do other employees. They ought to be entitled to organize for their own protection. The Board is capable of laying down the rules of conduct that will enable supervisors to enjoy the right to organize without, at the same time, violating any of their duties to management.

In addition, the committee considered the proposals of the Case bill and many other proposals to outlaw the secondary boycott. The majority of the committee is not unmindful of the fact that in several instances the boycott has been used unfairly and unjustifiably by some labor organizations. Nevertheless, the boycott is a defensive mechanism that fair-minded men cannot take away from labor organizations. Unions have a right to meet competitive wage-cutting, which undermines their very existence, by the use of the boycott. Where labor organizations have carefully and slowly built up the economic standards, non-union employers should not be free to attack such standards while the unions have their hands tied and cannot defend themselves.

The committee would consider it necessary, however, to recommend a provision which would prevent interference with the transportation of perishable agricultural commodities. Under the committee proposal, certain types of activity with respect to such transportation would be prohibited. This provision, as is indicated in the committee report, "is addressed solely to situations involving the use of violence, threats of violence, and actual or threatened physical force." It is not intended to limit or narrow the carrying on of ordinary and legitimate union activities of employees who are engaged in the transportation of perishable agricultural commodities, nor is it intended to render illegal the activities of labor organizations which seek by strike, peaceful picketing, or persuasion, to improve the economic standards of their members.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. EASTLAND. Why was that provision limited to farmers hauling perishable commodities?

Mr. MURRAY. Because it was deemed that that was a situation which justified going to that extreme. It was felt that in case of perishable goods there should be no delay, and that therefore



a provision of that kind could be justified.

Mr. EASTLAND. If I correctly understand, then, it is the conception of the committee that coercion and robbery are all right so long as a farmer is not involved.

Mr. MURRAY. No; the Senator is mistaken. That is not the position of the committee. The committee feels that labor has a right to exercise such measures as to enable it to meet the problems with which it is confronted in its efforts to obtain decent living conditions and decent wages, under which workers can protect their families.

Mr. EASTLAND. I have before me an advertisement from a Pennsylvania newspaper which I should like to read to the Senator:

Notice, truckers: To all timber and coal truckers:

A meeting will be held at Henderson's Fairway Inn, Route 90, April 9, at 7:30 p. m., to sign up with our local union to affiliate us with the United Mine Workers.

I call the Senator's attention particularly to this paragraph:

The deadline for hauling these commodities will be April 15, to anyone who doesn't belong to this organization; \$3 initiation fee and \$1.50 each month.

Is it the position of the committee that a union can prohibit a man with a truck from going on the public highways and hauling coal and timber unless he pays tribute to that organization against his will?

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. PEPPER. My impression is that violence or robbery of that sort would be illegal under the State laws of the State of Pennsylvania. I should like to ask the Senator if what he is suggesting is not that the Federal Government should create a Federal crime, when an act is already a State crime, and whether the Senator wishes to lay down the precedent that acts that are already State crimes and are criminal in character should also be made Federal crimes. If the Senator says he wishes to establish such a precedent, would he follow that precedent in the case of a Federal anti-lynching bill?

Mr. EASTLAND. I will discuss that question when it comes before the Senate; but I cannot see the point in saying that it is a violation of the law and a misdemeanor to rob a farmer, but that robbery is permissible against any other citizen.

Mr. PEPPER. Are we going to make every robbery and every assault and battery that occurs in the United States a Federal crime? That is the whole point.

Mr. EASTLAND. Why the distinction? If it is wrong to rob one man, why is it not wrong to rob another man?

Mr. PEPPER. Because it is no more wrong for a worker who calls himself a union picket to rob a man operating a truck into a city than it is to break into the man's house and steal his goods and assault him in his own yard, or on the public street. They are all crimes; and if we are not going to make them all Federal offenses, why pick out one seg-

ment and make it a Federal offense as well as a State offense? The answer is for the State to enforce the laws.

Mr. EASTLAND. That is exactly what the Senator from Montana recommends to the Senate, and I should like to know the reason for the distinction.

Mr. MURRAY. That was the action of the majority of the committee. It did not exactly appeal to me; but it seemed to me that an exception could be made in the case of perishable goods, which would be destroyed if action were delayed. At any rate, that is a matter for further discussion at a later time. I have only a few more minutes, and I should like to conclude. It would have been easy for the committee to have yielded to the pressure of the special-interest groups and to have recommended severely restrictive labor legislation. The very groups which now express dissatisfaction with the existing state of the law and with the committee recommendations would have been the first to applaud such ill-advised action. It is clear that such action would not be in the public interest. It would be unfair to single out one of the parties to a labor dispute and assess penalties against it. Both labor and management are sometimes right and sometimes wrong in these matters. It would be unfair to impose sanctions on one party alone.

The futility of attempting to force men to work against their will through indirect sanctions is obvious. Labor disputes are problems in social psychology as well as economic problems. Men frequently act irrationally and emotionally in these things. Laws which purport to require men to render service against their will would be in contravention of democratic principles, and would be completely unenforceable. Such statutes would suffer the same fate as did prohibition, and would be marked more by their violation than by their observance.

We have sought, rather, to build a firm foundation for the peaceful and expeditious solution of labor disputes. We feel strongly that the function of the Government in this field must be limited to assistance to the parties by way of strengthened and efficient conciliation services. There is no easy road to industrial self-government. If democracy is to survive, it must preserve fundamental freedoms, such as the right to strike. Sound labor legislation, in my opinion, must place the responsibility for the settlement of labor disputes where it belongs—upon labor and management. The methods of compulsion will lead us only to the desolation of totalitarianism.

The PRESIDING OFFICER (Mr. HATCH in the chair). The question is on agreeing to the amendment offered by the Senator from Virginia [Mr. BYRD] as a substitute for section 8 in the committee amendment, on page 28.

Mr. BYRD. Mr. President, I should like to make a brief explanation of this amendment. The amendment is for the purpose of prohibiting the payment of royalties to labor unions, which is the issue in dispute between the coal miners and the coal operators.

This amendment to House bill 4908, the so-called Case bill, strikes out sec-

tion 8 of the committee amendment, which relates to the exercise of rights of employees or labor organizations under the National Labor Relations Act and also to the Norris-LaGuardia Act, and inserts in lieu thereof a new section. It is necessary to take out section 8 as it conflicts with the subject matter of the amendment.

Subsection (a) of this amendment makes it unlawful for an employer to pay money or other thing of value to any representative of his employees. For constitutional reasons it is limited to employees who are engaged in commerce or in the production of goods for commerce. The term "representative" includes an individual who is a labor representative as well as a labor organization. This subsection does not prohibit an employer from building health and recreational facilities for his employees.

Subsection (b) makes it unlawful for any representative of employees to demand, receive, or accept from the employer of such employees any money or other thing of value. This subsection does not prohibit the employee himself from accepting money or other thing of value if it is paid directly to the employee by the employer. Nor does this subsection prohibit a demand for a raise in wages if such wages are to be paid directly to the employees themselves.

Subsection (c) is necessary in order to take two classes of cases out from under the prohibitions contained in subsections (a) and (b). In some instances an employee will also be a labor representative, and there should be no prohibition from paying him his compensation for, or by reason of, his services as an employee. The second class which it is deemed desirable to exempt from the prohibition is the payment of dues or other similar fees payable by such employee to his labor organization as a result of an agreement between the employee and his union. This exception preserves the check-off system.

Subsection (d) provides that any violation shall be subject to a penalty of not more than \$10,000 or imprisonment for not more than 6 months, or both.

Subsection (e) authorizes the district courts of the United States and the United States courts of the Territories and possessions to restrain violations of this section, notwithstanding the cited provisions of the Clayton Act and the Norris-LaGuardia Act.

Subsection (f) contains the necessary definitions.

In general the amendment prohibits payments by an employer of money or other things of value to labor representatives and labor organizations, but in no manner does it prohibit the payment of such things to employees directly. It provides a criminal penalty and authorizes injunctions for violations. It does not prevent an employer from building health and recreational facilities for his employees.

Mr. President, regardless of the name by which it may be called and regardless of the purposes for which the fund may be used, the demand of the United Mine Workers for the payment to them of a royalty of 10 cents a ton on all coal

mined is an excise tax on product. The same is true of Petrillo's royalty on phonograph records produced by the members of his musicians' union. A similar royalty or excise tax imposed by the unions on the products of every industry would amount to approximately \$4,500,000,000, which is more than the total tax revenue of the Government in 1937.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. EASTLAND. I think the Senator's statement is too broad. A similar tax on the products of industry would raise \$4,500,000,000, when the tax was limited to the products of manufacturing enterprises which are owned by corporations.

Mr. BYRD. That is correct.

Mr. EASTLAND. The figure \$4,500,000,000 does not include the proceeds of such a tax on the products of manufacturing enterprises which are privately owned or are owned by partnerships. A similar tax on all industry, including them, would amount to a great deal more money.

Mr. BYRD. That is correct. A 10-cents-a-ton royalty on coal would amount to approximately 3 percent of the value of the coal at the mines. Of course, I was referring to the production of corporations when I mentioned the figures I cited a moment ago. The figure \$4,500,000,000 for such a tax exacted from all manufacturing corporations does not include the proceeds of such a tax on the products of many small firms which are engaged in similar production.

Mr. President, the Revolutionary War was fought over the issue of taxation without representation. The new Republic was founded on the basis that only the duly elected representatives of the people, functioning in a governmental capacity, should have the right to levy taxes. Through a century and a half of our national history that fundamental principle of our democracy was never challenged. Then Mr. Petrillo, president of the musicians' union, exacted a royalty from the manufacturers of phonograph records, and he still collects it from them, but he cannot now levy a tribute on the broadcasting companies which use the records. He is unable to do that, by reason of the legislation which was enacted by Congress.

At one point during the war the production of coal amounted to 620,000,000 tons. There is a current demand for coal, both in the United States and abroad, for the production of at least 600,000,000 tons. A royalty of 10 cents a ton on that production would be equivalent to a tax of \$60,000,000 a year on the consumers of the coal. Of course, if John L. Lewis can establish his right to impose that tax on the commodity produced by the members of his union, every other labor leader will feel under compulsion to attempt to inaugurate a similar program. Even if there had been no previous legislation on this subject, the principle that only a Government agency can levy taxes is so fundamental that the power of Congress to prohibit a private agency

from exercising that function would be too clear to be debatable.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. BYRD. I yield.

Mr. EASTLAND. As the Senator has said, Mr. Lewis's royalty demand is a tax. But it amounts to a tax by one individual upon another individual—which is foreign to every basic concept of our Government.

Mr. BYRD. The Senator is entirely correct about that. It is a tax enacted by a private organization, not an agency of the Government.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. PEPPER. I am not quite able to bring myself to the conclusion, from what I have read in the newspapers—and, unhappily, that is where most of us have to get our information about this controversy—that what is required or made a condition by Mr. Lewis and the miners is in the nature of a tax.

The able Senator from Virginia can sell his apples to me for any price at which he wishes to sell them. I take it that he can require me to pay so much a bushel for the apples I buy, and an additional number of cents a bushel which might be put into a special fund of some sort; and if I did not wish to buy his apples on those terms, I do not know of any law which would subject the Senator from Virginia to imprisonment or other punishment. I would not consider that that would be a tax, in the sense in which the able Senator from Virginia has compared it to a tax imposed by the authority of law.

The controversy, as I have understood it, relates to whether Mr. Lewis, for the miners, can negotiate controversies with the management of the mines until they agree to the establishment of a health fund—perhaps the health fund to be the equivalent of so many cents a ton for each ton of coal mined. So far as I know, under the law and under our constitutional concepts, if a man does not want to work for an employer who has not provided a health fund for his employees, he has a right not to work for that employer.

Would not the able Senator make a distinction in the case of a worker who says "I will not work for you unless you create a health fund of a certain size for me and my coworkers"? Does the Senator say that in his considered opinion as a fiscal expert—perhaps the outstanding fiscal expert in the Congress—that is a tax?

Mr. BYRD. Mr. President, I say that under the conditions which exist today it is a tax, because John Lewis is dealing with a necessity for existence. He produces coal, and today he is the only producer of bituminous coal in America; and he can close down every furnace, every public utility, and all the factories producing the very necessities for our existence. When a man is in such a position of power and when he says that unless a certain payment is made to him as the representative of the employees, he will continue to keep those industries closed down and will inflict on the coun-

try one of the greatest catastrophes it has ever known, I say that in my judgment the payment which is demanded is unquestionably a tax which would be passed on to the consumer, if such an arrangement were made.

Mr. PEPPER. Mr. President, will the Senator further yield?

Mr. BYRD. I yield.

Mr. PEPPER. I hold in my hand a little bulletin designated as No. 841. It appears to have been issued by the United States Department of Labor, L. B. Schwellenbach, Secretary, and it comes from the Bureau of Labor Statistics. It purports to show some things on the subject of health programs established through collective bargaining as of 1945.

On page 3, under the heading "Financing of the plans," I read the following:

Most of the health-benefit plans included in this report are financed entirely by the employer.

And on page 2 there is a list of a large number of unions which have obtained some kind of health benefit plan. I observe a quarter of a page of them. There is a considerable number of unions involved. It looks, therefore, as though Mr. Lewis is not contending for something which may be considered to be a precedent, however much I may disapprove of the manner in which he is endeavoring to achieve his purposes, and the fact that instead of emphasizing the plight of his workers he is emphasizing his own arbitrary authority. But I assert that, however much I may disapprove of the method which Mr. Lewis employs, it appears from the report of Secretary Schwellenbach that the substance of what Mr. Lewis seeks has already been sought and gained by other unions through their union representatives.

Mr. BYRD. Mr. President, so far as I am aware, no union of this country has ever attempted to close down the life of the entire Nation in the way which Mr. Lewis and his union has attempted to do, unless a specific payment were made to the union. I am not objecting to the establishment of health and welfare funds for workers; I am in favor of it; but I do object to a union leader saying to the coal operators, "You must give to my union money with which to establish a fund, and in so doing give me exclusive control"—not a joint control as some other agreements provide, such as those which the Senator from Florida has read—"over the expenditure of the money as I please." The employer who pays the money would have no voice in its control. Mr. President, I consider that such payments to be exactions which could result in complete destruction of the private enterprise system of the United States.

Mr. PEPPER. The condition at which the able Senator from Virginia is striking is not so much—

Mr. BYRD. I am endeavoring to strike at the attempt of representatives of labor to obtain payments from employers in excess of the salaries paid their employees, and use such payments in establishing funds over which no one but the labor representatives would have any



control. If such a privilege were extended under all contracts made between employers and employees throughout America, it would result in payments totaling at least \$4,000,000,000 a year, and perhaps more. The figures which I have before me relate only to corporations. I assert that if such a condition were allowed to take place, labor unions would become so powerful that no organized government would be able to deal with them, as is practically the case at the present time.

Mr. PEPPER. Mr. President, I return to the question which I was attempting to propound to the Senator from Virginia. Is it not true that if Mr. Lewis had not imposed the particular requirement which we are discussing, he could just as well have called out his miners on a strike in support of some other form of demand?

Mr. BYRD. Mr. President, the Senator from Florida may defend Mr. Lewis all he wishes, but he knows, I know, and the country as a whole knows that Mr. Lewis has refused even to present his demands for other payments until first the question pertaining to the payment of royalties has been disposed of. If the Senator does not know that to be the fact, he has not read the newspapers nor kept abreast of what has taken place.

Mr. PEPPER. The Senator from Florida is not trying to defend Mr. Lewis any more than he would attempt to defend other men and women who are working in this country.

Mr. BYRD. The Senator has a perfect right to defend Mr. Lewis. I am not objecting to his defense of Mr. Lewis. He has a right to defend on the floor of the Senate any person whom he wishes to defend.

Mr. PEPPER. Mr. President, I am trying to get the Senator from Virginia to go to the core of the question being presented.

Mr. BYRD. I have gone to the core. If the Senator cannot understand me, I cannot present the English language in such a way that he can understand it.

Mr. PEPPER. Mr. President, the Senator from Florida will be as alert in endeavoring to understand the arguments of the Senator from Virginia as his limitations will allow. But what I wish to find out from the Senator is what can be done to keep the coal of this country flowing to the places where it is needed. I merely assert that, with his fertile mind, if John L. Lewis wants to keep his miners out of the mines he can find other ways in which to do it than by merely demanding the payment of money to be used to establish the health and welfare fund to which reference has been made. What does the Senator from Virginia propose that will compel miners to produce coal?

Mr. BYRD. The issue between Lewis and the coal operators today is the one involving the payment of royalties. If the Congress of the United States would say that such royalties exacted under the conditions named were illegal, I believe that it would do a great deal toward bringing Mr. Lewis off the high horse on which he now rides, and force him to give some consideration to the people

of America instead of confining selfishly his considerations to himself and to the members of his union.

Mr. PEPPER. Would the Senator make it illegal for the miners, the employees of Ford, the employees of General Motors, or any other enterprise in this country, to refuse to sign a working contract with management unless management provided a health fund which, in the opinion of the workers, would adequately take care of their health requirements?

Mr. BYRD. Mr. President, the Senator's statement shows that he has not read my amendment. All the amendment does is to provide that the money will not be paid to representatives of the union. It would still be possible to establish a health program and place the money under joint control. All the amendment provides is that the representatives of the employees, which means the union, shall not receive a tribute of this kind, even though it may be provided for in a collective bargaining contract. The amendment is very clear, short, and simple.

Even if there had been no previous legislation on this subject, the principle that only a Government agency can levy taxes is so fundamental that the power of the Congress to prohibit a private agency from exercising that function would be too clear to be debatable. But the Congress has both directly and indirectly legislated on that subject during the past 10 years. It directly legislated on the subject in the passage of the Wagner Labor Relations Act, which makes any contribution by an employer to his employees over and above their wages or salary an unfair-labor practice, enforceable by the National Labor Relations Board. That Board has enforced that law with respect to payments to a company union, but has never seen fit to enforce it against any national union. At his press conference last Monday President Truman said that he was personally opposed to royalty demands and royalty payments, and that they were prohibited by the Wagner Act. It is quite apparent, however, that the Wagner Labor Relations Act is not sufficient to reach the problem which now confronts us.

Again, in the passage of the Fair Labor Standards Act the Congress exercised its power to regulate and control interstate commerce by including in that act a provision that no employer should burden interstate commerce by the payment of wages below the minimum fixed by that act. The power of the Congress to protect interstate commerce in that manner has repeatedly been upheld by the United States Supreme Court, and it necessarily follows that the Court would be compelled to uphold the law to protect interstate commerce from being burdened and restricted by demands in excess of fair wages. This amendment deals with employees who are engaged in commerce or in the production of goods for commerce. With respect to such goods, it prohibits the employer to pay, or any representative of any of his employees to collect, or attempt to collect, any money or other thing of value,

for the use of such representative, or in trust or otherwise.

My amendment would prevent an employer from paying a royalty to the representative of a union. He would be clearly liable, under the provisions of this amendment, if he paid a royalty or other money to the representative of a labor union, the purpose of which was to bribe that representative. The amendment does not prohibit the direct payment of wages to an employee nor the payment to a union of union dues through the check-off system. The penalty for a violation of the act is a fine of not more than \$10,000 or imprisonment for not more than 6 months, or both. United States district courts are given jurisdiction to enforce the act, and in addition to the criminal penalty can grant injunctions, notwithstanding any provision of any antitrust law which seeks to relieve labor unions from injunction proceedings.

Mr. President, I merely wish to say a few words about what the payment of a royalty on production would do. There can be no question whatever that the demand made by Mr. Lewis on behalf of the United Mine Workers means a royalty on the production of coal, because he is not asking a flat sum, he is not asking an increase in the salaries of the members of his union in this instance, but he is asking that there be paid to him as the head of his union, 10 cents for every ton of coal that is mined and produced, which will mean \$60,000,000 a year. That is a royalty; no one can deny it.

If Mr. Lewis succeeds in doing this, why should not the copper miners demand it, why should not all the other unions which produce different articles have the same privilege Mr. Lewis would have? Why should not those who make automobiles charge \$10 or \$20 or \$30 as a tribute to the labor union for every automobile they produce?

Mr. President, what will happen if this is done? The royalty will all be paid by the consumers. Let us not deceive ourselves about that, the consumer will be the man who will have to pay the tribute if John Lewis succeeds in getting it, because it will be added to the cost of the coal.

Let us consider what may happen with respect to the 10-cent royalty on coal. It is 3 percent, as I have stated, of the value of the coal as sold by the producer. Let us, for example, say that railroad unions will charge a tonnage levy. There is no reason why they should not do that, if Mr. Lewis can get 10 cents on the production of every ton of coal. If he can do that, why cannot the railroad unions get a certain percentage for the handling of every ton of freight? It is exactly the same principle. Suppose the teamsters should exact another royalty. Then I think it could be conservatively estimated that instead of the consumer paying 10 cents a ton, which Mr. Lewis would get, he would pay 30 or 40 cents, by reason of the pyramiding of the different royalties. It would all come out of the pockets of the consumer.

As I have said Mr. President, it is a privately imposed tax. It is just as much a tax as an excise tax which would be levied by the Government, just as much

a tax as a tax on gasoline, which is paid into the Federal Treasury. The only difference is that it goes into the treasury of Mr. Lewis, and I am told that in the negotiations he has refused to say what he is going to do with the money, he has refused to agree to have any auditing of it, he has refused to give any accounting of what he is to do with it.

In that connection, Mr. President, let me say that the labor unions are the only great accumulations of wealth which do not have to make accountings. Of course, they are not "small" business any longer. The labor unions of the United States last year had a total revenue, according to the reports made to the finance committee, of \$400,000,000. Yet they talk about big business and the big manufacturers. They had a revenue of \$400,000,000 last year, and this tribute would be added to that. So as time went on the other unions would say, "We have to do as well as Mr. Lewis has done for the members of his union," and all the rest of them would say, "We have to get the same tribute."

We should understand, Mr. President, that this money does not go to the employee directly, it does not go to him in the sense of increased wages, but it goes to the union headed by Mr. Lewis, who has up to this time refused to say what he will do with it.

I have said that the labor unions are the only great accumulations of wealth in this country which make no reports of their financial operations. With a great income of \$400,000,000 a year, no report is made to any branch of the Government as to what they do with the money, or as to any of the items of its expenditure. I venture to say on the floor of the Senate here and now that if the members of the labor unions which paid this \$400,000,000 into the coffers of the union knew what it was spent for, if they knew of the high salaries which are paid to the labor leaders, if they knew how much was expended for political purposes to defeat Members of Congress who would not take orders from the CIO Political Action Committee, and would not wear the collar of John Lewis, and Sidney Hillman, and Caesar Petrillo—I venture the assertion that if the members of the unions who paid this money knew where it went, there would be quite a correction of what is being done now.

Mr. PEPPER. Mr. President—

The PRESIDING OFFICER (Mr. TUNNELL in the chair). Does the Senator from Virginia yield to the Senator from Florida?

Mr. BYRD. I yield.

Mr. PEPPER. Has the Senator any suggestion about how to keep big manufacturers, big banking interests, and other big business interests, from trying to defeat Senators who will not bow to their will and become their servants?

Mr. BYRD. The Senator should know, but he does not seem to know, that a corporation cannot contribute \$1 for political purposes, while a labor union can.

Mr. PEPPER. But the Senator from Virginia should know that they find ways to do it.

Mr. BYRD. If they find ways illegal of doing it, just as in the case of anyone else who breaks the law, they can be punished for it. The law specifically prevents a corporation from giving \$1 for political purposes, but no such prohibition extends to a labor union. If an individual contributes money for political purposes in excess of \$3,000, he has to report it to the Government and pay a gift tax. Yet, those who are on the "purge" list of the CIO may have CIO money spent to defeat them. I happen to be one who is on that list, and I wish to say that I regard it as a badge of honor. I am proud to be on the purge list of the Political Action Committee of the CIO, because I know that that means that they know they cannot control me in my votes in the United States Senate. Yet they can spend an unlimited amount of money to defeat me and other Members of Congress without making a report to anyone as to how the money is collected or how it is spent.

Mr. PEPPER. Mr. President, will the Senator further yield?

Mr. BYRD. I yield.

Mr. PEPPER. I am not absolutely sure that I am technically correct, but it was my understanding that the funds which have been raised by the CIO, or the Political Action Committee, have been raised by contributions made by individual members of the unions; that the contribution has not come out of the treasury of the union, but from a fund raised by contributions made by individual members.

Mr. BYRD. I do not care how it is raised; that is a matter of no consequence at all, if it is raised by the union members.

The point I am making is that the labor unions make no report. It is not a question of where the money comes from. They make no report, and are governed by no laws as to how the money is to be spent, for political purposes or otherwise, while there are very strict laws with respect to corporations and individuals. The laws may not be obeyed, though I have never known them not to be, but those who do not obey them can be prosecuted and can be put into jail.

Mr. PEPPER. Mr. President, will the Senator yield again?

Mr. BYRD. I yield.

Mr. PEPPER. I merely wanted to make the observation, comparable to the one the Senator has made about it being a badge of satisfaction to him that he is on the purge list of the CIO and the NAACP, that there are some of us who derive much satisfaction from the fact that ever since we have been in public life we have been on the purge list of some of the reactionary big business interests of the United States.

Mr. BYRD. I am glad that there is a situation from which the Senator from Florida can derive a great deal of satisfaction, and out of the same situation the Senator from Virginia can derive satisfaction. It is one of the few times we can derive mutual satisfaction out of the same proposition. [Laughter.]

Mr. PEPPER. Except that it comes from opposite directions.

Mr. BYRD. That may be, but I am very glad there is at least something out of which we can get a mutuality of satisfaction.

Mr. President, I shall not labor this matter any longer at this time. It probably will be discussed further.

I merely desire again to emphasize that all the amendment does is to prohibit the representatives of a labor union from receiving from an employer a specific sum of money. It does not prohibit in any way an increase of wages, it does not in any way prohibit the establishment of a health fund, if it should be controlled by mutual agreement, and not go directly to the union. It does not prohibit the employee from establishing a health fund of his own. Today the unions are one of the greatest single forces in America. They have the power of life and death, virtually, over the people of this country, and what I am undertaking in this amendment is to make it illegal for John L. Lewis to hold this Nation up at the point of a gun, which is what he is doing today, in order to get a fund of 10 cents on every ton of coal mined, which would give to him a fund of more than \$60,000,000.

I call attention to the fact that if this is done for John Lewis, it will be done in the case of many other unions. I am offering this amendment, not entirely because John Lewis is doing what he has been doing in the past few weeks, creating suffering and distress, rampant throughout the land today, with the smoke no longer rolling out of the chimneys of thousands of industries which should be operating and furnishing employment. It is a proper amendment to provide that no labor union may levy tribute upon an employer and use the fund so derived for its own purposes, without making an accounting for it.

Mr. PEPPER. Mr. President, will the Senator yield again?

Mr. BYRD. I yield.

Mr. PEPPER. I do not wish at this time to go into a full discussion of this matter, but I think it is a little difficult to reconcile what the able Senator from Virginia has in mind with what the language of his amendment actually provides. As I read the amendment—and it not the first time I have read the amendment of the able Senator from Virginia—section 8 reads as follows:

SEC. 8. (a) It shall be unlawful for any employer to pay or deliver, or to agree to pay or deliver, any money or other thing of value to any representative of any of his employees who are engaged in commerce or in the production of goods for commerce.

(b) It shall be unlawful for any representative of any employees who are engaged in commerce or in the production of goods for commerce to demand, receive, or accept, or to agree to receive or accept, from the employer of such employees any money or other thing of value.

(c) The provisions of this section shall not be applicable (1) with respect to any money or other thing of value payable by an employer to any representative who is an employee or former employee of such employer, as compensation for, or by reason of, his services as an employee of such employer, or (2) with respect to any amounts deducted from the compensation of any employee and paid to a labor organization by an employer



in payment of dues or other similar fees payable by such employee to such labor organization.

Those are the pertinent parts of the amendment, I believe I am correct in saying. Is not that true?

Mr. BYRD. That is true.

Mr. PEPPER. Mr. President, I wonder if the able Senator realizes that the amendment, which carries a penalty that—

Any person who willfully violates any of the provisions of this section shall upon conviction thereof be subject to a fine of not more than \$10,000 or to imprisonment for not more than 6 months, or both.

Would apply to anyone who actually received the pay check of a fellow worker and took it to the worker's home, if the worker to whom the money was due might happen to be sick? It merely goes to show how carefully we must consider these things when we start to write a law.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. TYDINGS. I think that would be a rather strained interpretation, because if the Senator and I were fellow employees in a plant, and he were ill, and I would take home his money to him from his employer, both of us being workers in the plant, I would not be receiving the money. I would be the employer's agent until I delivered the check into the hands of the Senator from Florida. The language of the Senator from Virginia is "You shall not receive." I would not be receiving it. To receive means to keep.

Mr. PEPPER. Oh, no.

Mr. TYDINGS. I do not think any court in the world would put such a labored construction on it, although in writing almost any law we can conceive that 100,000 different constructions could be put on the language. But there would be no logic behind such construction as the Senator from Florida points out.

Mr. PEPPER. I thank the able Senator. Of course he is a very successful and, no doubt, well paid, deservedly so, lawyer. If Mr. John L. Lewis or if a trustee for the miners' union or some other union should happen to receive a fund, not for his personal beneficial use but in order to set up an insurance or a hospital benefit fund or hospital facilities or a fund to provide medical services, would not the able Senator allow that to be explained and allow it to be shown that it was not for a personal beneficial use of the money that the representative of the mine workers was receiving it? That is the reason I said that what the able Senator from Virginia has in mind is one thing, and what the language of his amendment would provide is another thing.

Mr. BYRD. It is only the interpretation of the language of the amendment by the Senator from Florida, with which I am in total disagreement.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. WHEELER. Let us suppose the employees themselves were putting up a hospital, and the employer wanted to

contribute some money toward that hospital. If he did so he would be violating the law, as it is proposed to be written under the amendment.

Mr. PEPPER. The Senator from Montana is absolutely correct. He himself is an eminent lawyer. Neither one of these two exceptions in the amendment would protect the employer in such a case from being criminally liable.

Mr. BYRD. I will say that the only prohibition here is from making a payment to a representative of the employees, and that means a representative of the union. A joint fund can be set up which is handled in some other way, or the employer himself can set up the facilities for health, and so forth.

Mr. PEPPER. But the amendment does not say so.

Mr. BYRD. It does not prohibit it.

Mr. PEPPER. It does not say anything about that.

Mr. BYRD. All it says is that no payment shall be made by the employer to a representative—not to the employee himself—but to a representative of the employees.

Mr. PEPPER. If a hospital is to be built to serve the workers and they put up 90 percent of the money, and there is a board of trustees which is raising the money to build the hospital, and the employer should give 40 cents to that representative group or board, he would be guilty of violating the statute, as the Senator from Montana has pointed out.

Mr. WHEELER. Mr. President, will the Senator again yield?

Mr. PEPPER. I yield.

Mr. WHEELER. Frankly, I think there are a good many employers in this country who want to contribute and have contributed personally to something the employees wanted to do for their own benefit. This language clearly goes so far as to make the employer guilty of violation of the law if he contributed anything to the union for the benefit of the union, even, for instance, to a dance or a picnic for the union. In my home State whenever the smelter men's union or whenever the miners' union, or any of the unions, plan to hold a picnic on Labor Day, they go to the employers and ask for contributions for that purpose, and they go around among the merchants of the town and take up contributions for the picnic. But if the amendment were enacted into law the corporation could not contribute 1 cent to such a picnic or to a celebration, either a patriotic celebration or whatever it might be.

Mr. PEPPER. I thank the able Senator for his statement.

Mr. WHEELER. The Senator from Florida has already called attention to agreements which some unions have at the present time with the companies whereby the companies contribute to health funds. He referred to the report of the Department of Labor dealing with health-benefit programs established through collective bargaining in 1945. The plans have been negotiated by the following unions: International Ladies' Garment Workers Union, A. F. of L.; Amalgamated Clothing Workers of America, CIO; United Hatters, Caps, and Millinery Workers' International

Union, A. F. of L.; Textile Workers' Union of America, CIO; United Textile Workers of America, A. F. of L.; International Fur and Leather Workers Union of America, CIO; United Electrical, Radio, and Machine Workers of America, CIO; Upholsterers' International Union of America, A. F. of L.; United Furniture Workers of America, CIO; Industrial Union of Marine and Shipbuilding Workers of America, CIO; Hotel and Restaurant Employees' International Alliance and Bartenders' International League of America, A. F. of L.; Paper Workers' Organizing Committee, CIO; United Retail, Wholesale and Department Store Employees of America, CIO; and the Amalgamated Association of Street, Electric Railway, and Motor Coach Employees of America, A. F. of L.

One third of the fund, according to the report of the Department of Labor, is paid by the employer to the union, and the union handles it. Frankly, I think it would be much better to set up a joint organization of employer and employees. The railroads themselves contribute to an insurance fund which is partly paid for by the Railroad Brotherhoods and partly paid for by the railroad companies. But the proposed amendment would absolutely upset such operations under which the unions are getting along all right with the employer. It would upset the whole program now in existence.

Mr. PEPPER. The Senator from Montana is absolutely correct. If the Senator from Virginia wants to pose to the Senate the square, clear-cut question of whether or not we should prohibit a union from refraining from work unless the employer contributes the whole amount necessary to an insurance fund or hospital benefit fund, very well, then, the Senate can meet squarely that issue, as it might be presented. I dare say the Senate would like to have a chance to express itself on that particular question. But the way the Senator's amendment is worded it would absolutely invalidate the plans which are already in existence, as the able Senator from Montana has already pointed out, and it would actually make it illegal for an employer to contribute \$100 to a baseball team a labor union was trying to organize for the recreation and entertainment of its members, because this is what the amendment provides:

SEC. 8. (a) It shall be unlawful for any employer to pay or deliver, or to agree to pay or deliver, any money or other thing of value to any representative of any of his employees who are engaged in commerce or in the production of goods for commerce.

(b) It shall be unlawful for any representative of any employees who are engaged in commerce or in the production of goods for commerce to demand, receive, or accept, or to agree to receive or accept, from the employer of such employee any money or other thing of value.

That language forbids every type of delivery by employer to employees and every type of receipt by employees from employers, except two, and they are specified on page 2 of the amendment. The first is payment of compensation for services rendered, and second is the so-called check-off. Any other payment

or any other receipts under the language of this amendment would be made illegal.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. TYDINGS. If what the Senator from Florida says is sound I think we ought to find some new words to do what the Senator from Virginia has in mind. I have just been reading the amendment. As I understand, the sole prohibition is against a representative of an employee, and not the employee himself. Let us suppose that X corporation wanted to give \$100 to the X baseball team. It could do it.

Mr. PEPPER. Not unless the money were given to each individual to contribute to the common fund.

Mr. TYDINGS. The corporation could give it to one of its own employees. If I am mistaken I wish to be corrected. Let us suppose that there are 20 men on the team, and that A is the captain of the team. He is a man who works in the carpenter shop. Cannot the X corporation give the \$100 to A, and say, "Bill, here is \$100 for your baseball team?"

Mr. PEPPER. Is he an employee?

Mr. TYDINGS. Yes.

Mr. PEPPER. If he were an employee and the management were the employer, then the management would be guilty of paying or delivering, and the employee would be guilty of receiving or accepting \$100.

Mr. TYDINGS. No; because the only prohibition in the amendment is not against an employee, but against a representative of an employee.

Mr. PEPPER. The man in the Senator's illustration would be a representative of the employees.

Mr. TYDINGS. No.

Mr. PEPPER. It would be an employees' organization which would be organizing the baseball team.

Mr. TYDINGS. He himself would be an employee. He would not be a representative.

Mr. PEPPER. Would the Senator contend that he would be the sole beneficiary, and that the contribution would not be for the benefit of the employees?

Mr. TYDINGS. There is no provision in the amendment as to what the employee shall do with his wages when he gets them, or what he shall do with any gift which the employer sees fit to give him. The only prohibition in this amendment is against a representative of the employees. I will say to the Senator that, personally, I am not sure that I would vote for this amendment in its present form, but what I am trying to do is to reduce the situation to facts. As I see it, under the terms of the amendment, an employer could, in the case of the baseball team, give the captain of the team \$100 and say nothing about the purposes for which it was to be used.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. WHEELER. Let me call attention to the language:

(b) It shall be unlawful for any representative of any employees—

Mr. TYDINGS. That is correct.

Mr. WHEELER. This man asks for some money to support the baseball team.

Mr. TYDINGS. No; he does not ask.

Mr. WHEELER. Suppose he says, "We are organizing a baseball team"—or it may be a picnic—"and we want you to donate some money." He is the representative of the employees. He is not going to put the money in his pocket. If the company thought he was going to put it in his pocket, it would not give it to him. The company is not going to give him the money unless he is the representative of the employees themselves. Otherwise the man could say to the other employees, "The company gave me \$100, and I will stick it in my pocket," and the other employees could not do a thing about it, because it was given to him. The company wants to know that he is representing the baseball team, or representing the union, before it gives him any money for the baseball team or for the picnic. In the case of every picnic ever held by the miners' union in Butte, or every picnic ever held by the railroad brotherhoods, the employees go to the employer and say, "How about donating some money?" That brings about good will between employer and employees. When the miners' union picnics are held in Butte, the employees go to the businessmen of the city for donations. When the coal miners hold their annual meeting at Billings, Mont., they go to the companies for donations, and money is given to them. Every decent company in the United States does the same thing.

Mr. TYDINGS. Yes; and I am heartily in favor of it.

Mr. WHEELER. Something was said about the CIO. The Senator from Virginia is not the only one on the CIO purge list. I was placed upon it, notwithstanding the fact that I have supported every piece of labor legislation that has ever come to the floor of the Senate.

Mr. TYDINGS. Let me say to the Senator from Montana that, notwithstanding the fact that Wall Street and the CIO are both against him, I am betting that he will be reelected.

Mr. WHEELER. I thank the Senator very much.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. PEPPER. I yield, although I am reluctant to terminate this fine discussion.

Mr. EASTLAND. I agree with the Senator from Maryland. Subsection (a) provides that—

It shall be unlawful for any employer to pay or deliver, or to agree to pay or deliver, any money or other thing of value to any representative of any of his employees who are engaged in commerce or in the production of goods for commerce.

In the case of a baseball team, of course the baseball team is not engaged in commerce or in the production of goods for commerce.

Mr. WHEELER. The employees are the ones who are engaged in it. The amendment provides that such contributions may not be made to representatives of employees who are engaged in production. Notwithstanding the fact that the employees are holding a picnic for all the employees, they are nevertheless still employees of the company.

Mr. EASTLAND. Oh, no.

Mr. WHEELER. Oh, yes. When that interpretation is placed upon the amendment, I say without fear of contradiction that it would prevent any company in the country from contributing any money for a miners' union picnic, a railroad picnic, or for any purpose whatsoever.

Mr. EASTLAND. Is not the test what they are engaged in at the time?

Mr. WHEELER. Of course not.

Mr. EASTLAND. The prohibition is against a gift to employees who are engaged in the production of goods for commerce. Of course it would not apply to a baseball team.

Mr. TYDINGS. Mr. President, may I make a suggestion to the Senator from Florida?

Mr. PEPPER. I should be happy to have it.

Mr. TYDINGS. This suggestion is aimed at meeting one point in the argument. Perhaps this would not make the amendment a finished product, but suppose it were to read as follows:

It shall be unlawful for any employer to pay or deliver, or to agree to pay or deliver, any money or other thing of value to any representative of any of his employees, other than to another employee.

Would that take care of the situation?

Mr. PEPPER. Mr. President, I am a little behind the able Senator from Maryland in my thinking. I do not quite see exactly what the effect of the Senator's suggestion would be.

Mr. TYDINGS. The man who got the money would have to be one of the employees of the employer, rather than a representative on the outside. The Senator has made that point, and I have attempted to meet it, hoping to be a peacemaker—and I understand that peacemakers are the first people shot in every war. [Laughter.]

Mr. PEPPER. In the first place that does not really get at the situation at which the Senator from Virginia is striking.

Mr. TYDINGS. I think it does.

Mr. PEPPER. I think we ought to have the issue squarely presented. As I understand, what the Senator from Virginia was agitated about—and perhaps justly so—was something which we read in the newspapers. We are at a great disadvantage in trying to legislate upon a coal strike which we do not know anything about except what we read in the newspapers. But the Senator from Virginia has the impression from the newspapers—unless he has had private information of which I am not aware—that Mr. John L. Lewis—

Mr. BYRD. I may say that I have information from some of those who have been engaged in negotiating with Mr. Lewis, which is exactly what I stated on the floor of the Senate.



Mr. PEPPER. The substance of it is that the Senator from Virginia has understood that John L. Lewis has laid down a condition to his negotiating with the mine owners, that before he will discuss wages and working conditions they must agree to the provision of a health fund, in the amount of 10 cents a ton. I do not know whether he said 10 cents a ton or not. That is a figure which I have heard quoted. He has said,

We will not renew our contract to go back to work in the mines unless you will first agree to the principle of setting up a health fund.

That is a very different thing from what the able Senator from Virginia has so far put in his amendment. Senators should know what they are voting on. We have a right to determine whether we want to send a man to the penitentiary because he and his coworkers, or those whom he represents through their lawful selection of him, say, "We will not work for employers who do not give us some health safeguards, so that we shall not be left without any protection whatever for our health and strength."

If we wish to vote on that issue, we should have an opportunity to do so, knowing that this Congress has not adopted health legislation which would give the poor worker health protection, and knowing that it is not likely—at least at this session of the Congress—that such legislation will be enacted, in view of the very strenuous and pronounced opposition which is now being expressed to the national health insurance bill introduced by the Senator from New York [Mr. WAGNER] and the Senator from Montana [Mr. MURRAY].

Mr. OVERTON. Mr. President, if the Senator will permit an interruption, I venture to make a suggestion which I think will bring the Senator from Florida and the Senator from Virginia into complete harmony.

Mr. PEPPER. I should like very much to have the Senator accomplish that end.

Mr. OVERTON. If I can do that, I think I shall have accomplished a great deal.

Mr. PEPPER. It certainly would be a pleasant experience for me.

Mr. OVERTON. Let me suggest an amendment which I think would carry out the purpose of the Senator from Florida, and also the purpose of the Senator from Virginia.

Mr. WHEELER. The Senator does not mean to say that he can persuade the CIO to withdraw its opposition to the amendment, does he? [Laughter.]

Mr. OVERTON. If the Senator will follow the Byrd amendment, suppose it were to read in this way:

It shall be unlawful for any employer to agree, in the course of collective bargaining, to pay or deliver any money—

And so forth.

Mr. PEPPER. Again—

Mr. OVERTON. As I understand, that is the objective. Such a provision would not interfere with baseball teams, picnics, or anything else; but when it came to collective bargaining, an inducement could not be held out to the representatives of the employees, and the rep-

resentatives of the employees could not exact it of the employer. The employer would be prohibited from agreeing to pay or deliver any money or thing of value, in the course of collective bargaining.

Mr. PEPPER. The able Senator from Louisiana is one of the most distinguished lawyers in the Congress. Does he really believe that his suggested amendment would get at the question which the able Senator from Virginia is trying to strike at, namely, John L. Lewis saying, "We will not sign another contract unless you provide a health fund"? If that is what we are really getting at, why not let us put that in the amendment, and then vote for the amendment or against it?

What I am saying is that the way the measure now stands, and even the way it would stand if amended by the amendment suggested by the able Senator—although no doubt it would be somewhat different in that event—it still misses the core of the situation at which the Senator from Virginia is striking. He is considering whether John L. Lewis should go to the penitentiary because he says to the mine operators, "I will not sign another contract with you unless you first agree to the principle of a health fund."

Mr. BYRD. Mr. President, there is nothing whatever in the amendment to provide that John L. Lewis shall go to the penitentiary merely because he asks for the establishment of a health fund.

Mr. PEPPER. Mr. President, now the Senator from Virginia is asking us to draw on our knowledge of the coal strike. Practically every newspaper has carried an article almost every day that John L. Lewis has refused to engage in negotiations with the mine operators until they agree to provide for the establishment of a health fund. Certainly either the newspapers have misrepresented the situation or else I have misread the newspapers. But I dare say that all my colleagues have an understanding of the situation similar to mine.

If the Senator wishes to have the Congress provide that such an offense shall be punishable by a fine of \$10,000 or by imprisonment in the penitentiary for 6 months, then let him provide for it in his amendment. The Senator knows that is what he is striking at.

Mr. BYRD. Mr. President, does the Senator from Florida say that if John L. Lewis asks for the establishment of a health fund, under the amendment he would have to go to the penitentiary?

Mr. PEPPER. If the amendment is adopted and if it is not held unconstitutional by some court and if a mine owner gives to John L. Lewis or some other representative of the employees, for administration by them, funds with which to establish a health fund, they will be guilty of violating this measure.

Mr. BYRD. Both of them will be guilty.

Mr. PEPPER. Both the employer and the employee or the representative of the employee.

Mr. BYRD. A few moments ago the Senator said that even if John L. Lewis asked for it he would be liable to punishment.

Mr. PEPPER. Mr. President, the amendment provides that—

(b) It shall be unlawful for any representative of any employees who are engaged in commerce or in the production of goods for commerce to demand—

And so forth. Mr. President, if John L. Lewis—and I use him just as a symbol, for the same argument would apply to William Green, or Mr. Johnson, or any other labor representative in this country—were to say, "I will not sign a contract unless you provide for a health fund," if he were convicted under the terms of this measure, he would go to the penitentiary.

Mr. KNOWLAND and Mr. BALL addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Florida yield; and if so, to whom?

Mr. PEPPER. The Senator from California first addressed the Chair, so I yield now to him.

Mr. KNOWLAND. Mr. President, I ask the Senator from Virginia if there is anything in the amendment to prevent employers and employees from setting up a health fund by contract, just so long as the fund is not under the exclusive jurisdiction of the union? There is nothing in the Byrd amendment, as I read it, which would prevent the employers and employees from sitting down and agreeing, by contract, to establish a corporation, either in conjunction with the Government or between the parties themselves, to set up such a fund and to put it under a trusteeship arrangement for the benefit of the health of the employees.

Mr. PEPPER. It would not make any difference whether the employer and the employees had entered into a contract, under seal, by which the employees would receive any of this money, no matter whether provision were made for a trustee. If he were a representative of the employees, he would be subject to a \$10,000 fine or to imprisonment for 6 months, or both, under the terms of this amendment.

Mr. WHEELER. Mr. President, will the Senator yield to me?

Mr. PEPPER. I yield.

Mr. WHEELER. Not only would it apply in the future but under some of the arrangements which have been mentioned this afternoon it would also apply to unions which today are receiving from the companies money for the purpose of establishing health funds. Yet the amendment now under consideration provides:

(b) It shall be unlawful for any representative of any employees who are engaged in commerce or in the production of goods for commerce to demand, receive, or accept, or to agree to receive or accept, from the employer of such employees any money or other thing of value.

Clearly, such a provision not only affects any future organization, but it would prevent a union even from receiving or agreeing to receive at this time anything in the way of a health fund.

With reference to what the Senator from Florida has said, let me say, as I have said before, that I am not trying to pass upon the question whether it is

right for a union to receive such money, either to be used by it or to be administered by both the employer and the union. But if we are going to say, by law, to the representatives of the employees in the United States that they cannot ask for the establishment of a health fund for the benefit of the workers in the United States, then we might just as well say that the only thing they can do is to come to the Congress and make their requests.

It has been stated during the debate that the mining of coal is a public utility. I wonder how many of the coal-mine operators would agree that the Congress could pass legislation regulating them as a public utility. We would find every one of the coal operators, regardless of whether the mines were owned by the United States Steel Corp. or by some other company, fighting any legislation to regulate them as a public utility. They would fight it from one end of the country to the other.

Mr. President, let me also say that if such a regulation were made with respect to coal, it would eventually be done with respect to copper and practically every other basic commodity produced by industry in the United States, because although coal affects more of our economy than do lumber or the other commodities, yet relatively they are all in the same position, because all of them play a part in making up our total industrial economy; and if one of them breaks down—whether it be copper, lead, zinc, lumber, or any of the others—our economy cannot function, insofar as the general industrial life of the United States is concerned.

The amendment would have the Congress provide by law that a man could not act as a representative of employees and say to the company employing them, "The conditions in this coal mine are so bad that it is necessary to establish a health fund or an accident fund."

Mr. President, the trouble is that a great many people have not visited the districts where the coal mines are located, and they have not seen how the companies own the houses in which the miners live, and they have not seen the companies throw the wives and children and babies of the workers out of those houses and throw their furniture out. Many of our people have not visited the communities in which the churches and the stores are owned by the coal companies, and many of our people do not know personally of the exorbitant prices which are charged in those stores—prices so high that when the workers finish a season of work, he still owes the company money.

No doubt none of us agrees entirely with what John L. Lewis has said and with what some of the other labor representatives have said, but we must look at the situation from the other side, for it is not a one-way street by any means. All we have to do is observe some of the places where the miners work and some of the places in which they live. As good Americans, we must say that we do not subscribe to such conditions. Mr. President, I thank God that those conditions do not exist in my State, but I realize

that they at this time certainly do exist in many other parts of the United States.

Mr. PEPPER. I thank the Senator.

Mr. BALL. Mr. President, will the Senator yield to me?

Mr. PEPPER. I yield.

Mr. BALL. Let me say that I can understand that the Senator from Montana and the Senator from Florida are correct in saying that if John L. Lewis or any other bargaining agent for the union or the employees demands that the employer pay to their union a certain fund to be used as a welfare or health fund, such a demand would violate the provisions of the measure we are discussing. But I do not see anything in the language of the Byrd amendment which would prevent any union business agent or union leader who was in negotiation with an employer from demanding as one of the provisions of the contract that the union and the employer agree upon the establishment of a nonprofit corporation or association to administer an accident fund or a welfare fund or a health fund, or whatever it might be called, for the benefit of the employees. That would not be paying money directly to the representatives of the employees.

It seems to me that what Lewis had demanded, as I understand it, is a royalty payment of 10 cents a ton, to be paid to the United Mine Workers, and to be completely under their jurisdiction, and to be expended by them in any way they see fit.

I think that is all that the language now under consideration seeks to reach. They could still set up a nonprofit organization to accomplish the objectives about which the Senator from Montana has been talking.

Mr. WHEELER. Mr. President, let me say to the Senator that I think he is correct when he says that they could set up a nonprofit corporation. But the amendment provides:

(b) It shall be unlawful for any representative of any employees who are engaged in commerce or in the production of goods for commerce to demand, receive, or accept, or to agree to receive or accept, from the employer of such employees any money or other thing of value.

When we so provide by law as to "anything of value," we must realize that as a matter of fact a health fund is something of value, regardless of whether it is paid directly to the union or is paid to a nonprofit corporation. In making such a request, they are requesting something of value, and the union representative is demanding it or is receiving it. So it seems to me the language of the amendment could easily be construed to apply in such a case.

Mr. BALL. Mr. President, under the Senator's interpretation the representative of the unions could not even demand a wage increase.

Mr. WHEELER. That is excepted, because the amendment provides:

(c) The provisions of this section shall not be applicable (1) with respect to any money or other thing of value payable by an employer to any representative who is an employee or former employee of such employer, as compensation for, or by reason of, his serv-

ices, as an employee of such employer, or (2) with respect to any amounts deducted from the compensation of any employee and paid to a labor organization by an employer in payment of dues or other similar fees payable by such employee to such labor organization.

Mr. President, the amendment goes entirely too far. Suppose a representative of a labor organization were to say to the employer, "One of our members has been injured by your railroad and we want you to contribute the money with which to pay him." There is a question whether under the language of the amendment the making of such a request would be in violation of the amendment. In some instances the unions have set up funds for the protection or assistance of employees who are injured on the railroads.

Mr. BALL. Mr. President, that would be compensation payable by reason of the employee's services as an employee.

Mr. WHEELER. No, Mr. President, that would not be compensation payable by reason of his services as an employee.

Mr. BALL. It certainly would be workmen's compensation.

Mr. WHEELER. But the railroads are not under the Workmen's Compensation Act. The railroads do not come under the provisions of that act.

Mr. BALL. They are covered by the same law.

Mr. WHEELER. No; they are not covered by any compensation law whatsoever.

If a railroad employee receives an injury on the railroad, he may either settle privately with the railroad, or through his organization, or bring a personal injury action against the employer. I happen to know because I have represented employees in many of such cases.

Mr. PEPPER. Mr. President, the able Senator from Montana could go further. If a lawyer in the case referred to should make a demand on the employer on behalf of the employee for any kind of a payment, he would be guilty, under the proposed amendment of violating the law. I read section 8 (b) of the amendment.

It shall be unlawful for any representative of any employees who are engaged in commerce or in the production of goods for commerce to demand, receive, or accept, or to agree to receive or accept, from the employer of such employees any money or other thing of value.

Section 8 (a) of the amendment reads as follows:

Sec. 8. (a) It shall be unlawful for any employer to pay or deliver, or to agree to pay or deliver, any money or other thing of value to any representative of any of his employees who are engaged in commerce or in the production of goods for commerce.

Mr. President, under the language of the amendment a lawyer could not make a demand on an employer or receive on behalf of his client a dollar from an employer for other than two reasons set forth on page 2 of the amendment, namely, (1) payment for services and (2) a part of the check-off system, without violating the language of the amendment.

Mr. LUCAS. Mr. President, will the Senator yield?



Mr. PEPPER. Will the Senator allow me just one more minute to complete my statement?

Mr. President, I do not have a newspaper which carries the story in full, but on May 10, 1946, in the Houston Press, there was set forth the following as a part of a telegram from Mr. Lewis:

Let every member be assured that the members of the National Policy Committee are determined to accept no contract that will not give to the mine workers the essential protection which is imperatively required. Let each member cooperate with this policy.

That language seems to me to bear out what I have already said. What the Senator from Virginia [Mr. BYRD] is really striking at is John L. Lewis's statement to the effect, "My miners will not return to the mines until you gentlemen who are of management first provide, in principle, a health fund." The Senator from Virginia wants to send John L. Lewis to the penitentiary for insisting upon that condition of work. Yet he does not see fit to say so in his amendment.

Mr. President, the Senator from Virginia knows what he is striking at. He is striking at John L. Lewis, and at the shut down in the production of coal. What he is now particularly putting his finger on is the statement that the miners will not sign a contract until the health fund is first provided for.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. PEPPER. Will the Senator please allow me a minute more?

Mr. President, as the Senator from Montana has pointed out, it may not be best that the fund be administered by the union itself, but the compilation of plans to which I have referred, as prepared by the Secretary of Labor, show that there are many plans today which are being administered by the unions in spite of the fact that all the money in support of those plans is paid by the employers. Some Senators may not have been in the Chamber a minute or two ago when I read from page 3 of Bulletin No. 841, which was issued by the Department of Labor Statistics under the Secretary of Labor. I read the following:

Most of the health benefit plans included in this report are financed entirely by the employer.

I need only to refer to this bulletin, Mr. President, but Senators well know—I believe I am correct in this statement—that the unemployment compensation fund under which workers all over the United States are covered by the social security law, consists of money put up entirely by the employer under Federal requirement. I believe that Senators will agree that I am correct in that statement. I do not know whether the able Senator from Virginia voted for the law, but the Congress passed a law compelling employers who are covered by the social-security law to put up all the money of the United States unemployment compensation fund for the purpose of protecting workers against there being no security for them in case they lose their jobs. Yet if the very thing which we have required by law were to be administered in any way whatever by the union and

the amendment of the Senator from Virginia were a part of the law, the leaders of the unions who demanded the arrangement and received it, would be made subject to an imprisonment of 6 months or a \$10,000 fine.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. KNOWLAND. I do not believe that the amendment proposed by the Senator from Virginia purports or intends to purport what the Senator from Florida has indicated. However, a technical drafting of the amendment may tend to do that. I would suggest the following language:

SEC. 8. It shall be unlawful for any employer to pay or deliver, or to agree to pay or deliver, any money or other thing of value—

And this would be the new language: which would be under exclusive union control.

The remaining part of the paragraph would stand as it is.

In other words, the proposed language would not prevent the establishment of a health or welfare fund where, under trusteeship or otherwise, it would be for the benefit of the miners, but the fund could not be used for political or other purposes.

Mr. PEPPER. I do not believe the able Senator really means to suggest that John L. Lewis is making as a condition of his miners returning to work, the demand that management shall give this money either for personal or political uses. The Senator does not believe, does he, that Mr. Lewis is that stupid, or that he would make such a proposal? The qualification which the Senator from California has suggested still would not cover the cases which we have instanced. If the expenditures of baseball teams were to be entirely under the supervision and control of the representatives of the union, they would be guilty of violating this amendment.

Mr. KNOWLAND. We have been using the name of Mr. Lewis. Let us use the name of Mr. X.

Mr. PEPPER. Yes.

Mr. KNOWLAND. Not long ago in the history of the United States it was known that a representative of one of the great unions made a substantial contribution out of union funds to one of the major political parties.

Mr. PEPPER. That has already been taken care of by another statute.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. TAFT. The Senator cited the instance of a company supporting a union baseball team. I may say that that kind of action has been held by the National Labor Relations Board to be an unfair labor practice, in that it indicated that the union was dominated by the company. The Labor Relations Act itself so provides. I read from it the following language:

It shall be an unfair labor practice . . . for an employer to dominate or interfere with the formation or administration of any labor organization, or contribute financial or other support to it.

I am not entirely clear in the use of the word "representative" as shown in the amendment, but if it is intended that no money as a part of a settlement shall be paid directly to a union, it seems to me that we would be going very little further than the National Labor Relations Act already goes.

Mr. PEPPER. The Senator from Ohio is an eminent lawyer, and he knows that the act is not limited to a representative of a union, but includes representatives of employees, and unions would not have anything to do with the situation under the proposed amendment.

Mr. TAFT. I agree that that feature is something that should be clearly defined. But so far as the general principle of refusing to permit employers to pay money directly to unions is concerned, I do not believe the proposal is much of a departure from the provisions of the present National Labor Relations Act.

Mr. PEPPER. The Senator knows of no instance, does he, of the National Labor Relations Act, or any board under it, or any other Federal authority, invalidating the health plans now in existence, some of which are administered exclusively by the unions?

Mr. TAFT. No; but I know that contributions by employers to baseball teams have been held to be unfair labor practices.

Mr. PEPPER. I could conceive of a situation in which there might be involved a violation of the National Labor Relations Act, because the contribution might be construed as an intention to influence an election, or something of that nature. However, the language of the proposed amendment applies not only to union baseball teams but to baseball teams of employees who are not in any union.

Mr. TAFT. If there were an independent union, and an employer were to say to its members "We are going to set up a benefit and you will administer it," I think that under the National Labor Relations Act it would be considered as evidence of domination of the union by the employer to such an extent that it would probably result in eliminating the union as a collective-bargaining agency.

Mr. PEPPER. The able Senator may have pointed out some error in the decision of the National Labor Relations Board, but we, as Senators, are called upon to enact legislation, and we have a right to know what will be the effect of the legislation which we are called upon to enact.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. LUCAS. For my own information I wish to propound one or two questions to the able Senator from Florida. As I understand from the argument that has been made, there are at the present time certain unions which are administering funds of the character to which reference has been made, and that such administration is agreeable to the operators or the industrial heads concerned.

Mr. PEPPER. Yes.

Mr. LUCAS. Am I to understand that it is the Senator's position that the proposed amendment would abrogate such

contracts, if the amendment were enacted into law?

Mr. PEPPER. Yes; because, under the language of the amendment, it would be unlawful for any representatives of the employees covered under the plan to receive anything of benefit or value from the management.

Mr. LUCAS. I have one further question. Is it the understanding of the distinguished Senator that the fund which would be established, as, for example, the one which is now being contemplated, and possibly administered by some independent agency, would be abrogated and repudiated under the proposed amendment?

Mr. PEPPER. If they did not either demand it or receive it, under this language, it would not be invalidated.

Mr. LUCAS. It has to be a demand, and somebody would have to receive it, would he not?

Mr. PEPPER. Of course, and if the representatives of the union demanded that the fund continue, for example, or if anyone representing the union demanded it—and I do not see how there could be a joint administration without someone representing the union in the receipt of some of the benefits—in either case, they would be liable.

Mr. LUCAS. I should like to have the Senator from Virginia give his attention to this question. Is it the position of the Senator from Florida that if the amendment were agreed to it would definitely outlaw a fund providing for prevention of accidents to miners and protection of their health, notwithstanding the fact that the operators and the miners themselves would seek to do a thing of that kind?

Mr. PEPPER. I think it would, for two reasons. In the first place, if such a fund were set up pursuant to the demand of some representative of the miners, that in itself would be an offense; and, secondly, if the fund were received by anyone representing the employees, it would be a second offense. So those two prohibitions, for all practical purposes, would prevent the setting up of such a fund, it seems to me.

Mr. LUCAS. I should just like to make the observation that it is my understanding that the operators of the mines in the present controversy have definitely made a proposition to John L. Lewis and his leaders with respect to a fund of the character proposed. What the terms are I do not know, but when there are negotiations in a matter of this kind each party usually asks for more than it gets. I would not expect the operators to give John L. Lewis the right to administer a fund of fifty or sixty million dollars without an accounting to someone, and I do not believe they will go through with that kind of a proposition. I think there will be some compromise somewhere along the line with respect to his authority. But it does seem to me they should have the right at least to consider such a proposition, and if this amendment abrogates that right, I should like to know it.

Mr. BYRD. Mr. President, will the Senator from Florida yield to me to answer the Senator from Illinois?

Mr. PEPPER. I yield to the Senator from Virginia.

Mr. BYRD. The amendment is very clear. It prevents only the payment to a representative of employees. A joint fund could be set up and the payments could be made to the officials of the joint fund without payments being made to the representatives of the employees. To my mind there is a clear distinction. If a joint fund is set up by mutual agreement, the officials in charge of the joint fund are no longer the representatives of the employees, and therefore will not come under the prohibition.

Mr. PEPPER. Mr. President, is it not patent on the face of the statement, in the first place, if John L. Lewis says—and we are still using him as Mr. X—if John L. Lewis says, "We will not go back into the mines unless you provide a health fund, even jointly administered," that that is a thing of value? Is not that something demanded, under paragraph (b) of the amendment, by a representative of a labor union?

"It shall be unlawful for any representative of any employees." Does anyone doubt that John L. Lewis is representing the employees?

"Who are engaged in commerce or in the production of goods for commerce."

Does anyone doubt that the miners are engaged in the production of goods for commerce?

"To demand, receive, or accept, or agree to receive or accept, from the employer of such employees any money or other thing of value." Does anyone deny that John L. Lewis in making demand even for a health fund that will be jointly administered, is demanding something that will be of value to the employee? If anything is clearer under paragraph (b) than that it would be difficult to imagine it.

In the second place, let us take paragraph (a). Even if representatives of the employees only jointly share in the administration of the fund, would they not be representative of the employees in the handling of the money? Of course they would be. Whom would they be representing? Not themselves, as the able Senator from Montana pointed out a while ago. They would be acting in the receipt and in the administration of the fund as the representatives of the employees of those employers engaged in the production of coal for the commerce of this country.

Mr. President, the Senator from Virginia stated in the very beginning of his argument that he was aiming at John L. Lewis and the stoppage of coal production, and he was aiming at a condition precedent imposed by John L. Lewis before he would begin to discuss the other terms of a new contract. What the Senator from Virginia wants to do is to make it illegal for a representative of a group of employees to demand of their employers in this particular case the provision of a health fund.

Mr. BYRD. Mr. President, the Senator from Virginia never made such a statement. If the Senator will get a transcript of my remarks, he will see that I never made such a statement.

Mr. PEPPER. Is not the Senator offering the amendment in order to affect the coal strike situation?

Mr. BYRD. I am offering the amendment to prevent the payment of a royalty to the representatives of a union. It would have immediate application to the coal strike, but I think it is a national policy which should be adopted regardless of the pending strike.

Mr. PEPPER. Is it not intended to make it illegal for John L. Lewis to do what he has been doing in these negotiations relative to a health fund?

Mr. BYRD. It is not.

Mr. PEPPER. Would the Senator be willing to add to his amendment a provision that it shall not apply in a case where a representative of employees seeks a health fund from the employers?

Mr. BYRD. The Senator from Florida asked me whether it was my intention to make it illegal for John Lewis to ask for a health fund, and I say it is not my intention, and if the amendment I have offered provides for that, I am perfectly willing to amend it.

Mr. PEPPER. That is what I have been talking about, Mr. President, all the time. In the very first remarks I made I said that the language of the amendment is one thing, and the effect is another thing. The Senator should clarify his amendment so that we will know what he is asking us to vote on.

Mr. BYRD. There is only one justification for the Senator's suggestion, in line 8, there I used the word "demand", which is linked with the word "receive" and "accept" which follow it, and if the Senator objects to that, I am perfectly willing to strike it out.

Mr. PEPPER. Mr. President, that would relieve the case as to the "demand."

Mr. BYRD. I think any union has a right to ask, but this makes illegal the payment of a royalty by either the employer or the employee.

Mr. PEPPER. The Senator has been good enough to agree to strike out the word "demand." Are we not entitled to ask the Senator from Virginia what he means by the word "royalty"? I suggested in the very beginning of my discussion that what the Senator said was one thing and what he was aiming at was another.

There are certain kinds of demands of employees which I would oppose, but I am talking about the kind of thing we have been discussing in connection with the coal strike. I do not know how the Senator defines the word "royalty." It is not in the bill, it is not included in his amendment. He defines "goods," he defines "produce," but he does not use the word "royalty." Yet he says he wants to forbid the payment of a royalty. If he wants merely an amendment which will forbid the demand of a royalty and the payment of a royalty, and it is not to be confused with the kind of thing I have been discussing, it might be all right as an amendment. The able Senator is using the word "royalty," but his amendment does not say anything about a royalty. Several of us have tried to point out that the effect of his amendment, whether he intends it or not, would be to make it unlawful for a representative of a union or



group of employees who are not unionized to receive any other thing of value from the employer.

Mr. President, as I have said, the cases could be multiplied almost without number in which things we all admit to be legitimate would be prohibited by the amendment. So it was my hope and thought that before we proceeded further, surely the Senator from Virginia would tell his colleagues exactly what it is he was striking at.

Mr. President, I am not making a captious suggestion. I brought the question up for the reason that there is much confused and vague thinking on this subject. I am troubled, as every other Senator is, about what Congress can do to meet a situation such as that which now presents itself.

In the first place, the ordinary member of the public would say that John L. Lewis has his miners out on strike. That is not so, if we respect the English language. The miners have not gone out on strike in violation of any contract. They had a contract with their employers to work for so many days, and that contract ran out. Then they quit work until another contract could be negotiated. That is not a strike, if the English language means anything and all the laws in the land prohibiting strikes would not in any court of this country, in my opinion, bring into subjection and punishment for criminality the people who bring that about.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. LUCAS. Of course, the Senator understands that under the conditions Lewis did not have to call a strike. I think the able Senator will agree with me that the longer we proceed under these conditions the worse it becomes. A strike would have been a futile, useless thing. Better results could be obtained by doing nothing. He had the economic fate of the country in the palm of his hand.

Mr. PEPPER. Surely. I think we can all agree then that technically John L. Lewis does not have the miners out on strike. That is the first point I want to make. The corollary of that is, is it not, Mr. President, that what John L. Lewis and his miners are doing is refusing to go back to work in an essential industry except upon conditions that are satisfactory to them? Is that not essentially a statement of the case? We have the case of a man representing so many hundred thousand mine workers. They had a contract. Their contract has run out. They will not agree to go back to work until they get a new contract which is satisfactory to them. Now every lawyer in the Senate knows that that is substantially a statement of this case at the present time, and the question is not whether we like John L. Lewis; not whether we need coal to keep our economy running. The question is: What can we do about an American citizen named B who will not work for A except upon conditions that are satisfactory to the worker? That is what is involved in this matter when we come to the heart of it.

Now what are we going to do? It would certainly be a great departure from any past legislation, but I am asking Senators whether we are prepared to pick certain key industries in this country which are essential to the working of our economy, and say that the safeguards of our Constitution do not protect a man against not working in such an essential industry even if the terms of the employment are unsatisfactory to him.

In other words, in order to do any good in this situation, and not merely pass a law which will politically look as if we have done something—in order to have coal mined, or if the telephone girls were to strike, in order to obtain continuation of telephone service, or if the steel workers were to strike, in order to continue the steel output, which is also essential to our economy, or if the drug-laboratory workers were to strike in order to continue to get the medicines essential to the health of the people I ask: Is not the fundamental question whether such workers are engaged in an industry so essential that we can strip them of the constitutional safeguard against compulsory labor except as a punishment for crime of which they shall have been duly convicted? That is what it gets down to when it is stripped to the very bone, and that is the question which the statesmanship of the United States should deliberately and wisely and thoughtfully face, because it is a very serious question in the present evolution of our society.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. LUCAS. Does the able Senator believe we can do anything?

Mr. PEPPER. Insofar as getting people back to work in the mines by coercion and force, without a radical change in our judicial concept, I am not at all sure whether there is anything we can do or not.

Mr. LUCAS. Well, I know that we cannot force a man to work in this country against his own will. I am certain of that, and every other Senator is certain of that. But does the Senator believe that the Congress of the United States and the executive branch of the Government are absolutely helpless in a crisis of this kind, assuming that the crisis were at its worst?

Mr. PEPPER. No, I would not say that the Government was entirely helpless. What we could do in order to get the miners back to work, or the railroad workers back to work if they were not at work, or the workers of any other essential group, I do not know. The Government can take over the mines, and then, the Government once being the operator of the mines, might have authority to negotiate with the workers, and then have authority to enter into agreements which are satisfactory to the workers. But then what are the operators going to say? Are they willing to let the Government fix the wages, if inadequate wages might provoke a strike by the workers? Are they willing to let the Government become the negotiator for the operators in these management-labor negotiations?

Suppose in this particular case the President should take over the mines, and then go into the facts of this particular situation. Suppose the President were to say, "Mr. Lewis, I do not like the way you handle this thing, but as I have looked into the facts, as I see too many open privies adjoining the homes of the workers of the mines of this country, as I have had a report of the Surgeon General of the Public Health Service respecting the mortality rates and the other physical casualties in the mine group, I am convinced that management has not been fair to these workers. Now you negotiate with me. I am for the time being, running these mines as President of the United States. I will hear you. What have you got to say about how much of a health fund you think the workers ought to have? Do you think the management should pay it all, or do you not think you fellows should pay part of it? How do you think it should be administered? Let us go into experience on that subject."

Would Senators be willing to give the Government the right of contract for management in such a situation? I should like to ask that question and see what the answer would be in a case where the mines are taken over by the Government? Would Senators be willing to let the Government make the contract for the management, or to fix the contract that should be governing upon both management and employees? I can understand that if we were to give the Government that power, then in most of the cases, although maybe not always, but in most of the cases it would be possible for the Government to take over the facilities, and then work the thing out in what might be considered a fair way.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. LUCAS. I want to say to the able Senator that that is practically what my amendment contains, insofar as those who own property are concerned. They will not make exorbitant profits as long as the Government has this property, and a number of factors must be taken into consideration before any money is paid to the owner of the property. It is in line with what the Senator is suggesting. In other words, what I am trying to do is not to give management any advantage as the result of the Government taking over the mines, and I am not giving labor any advantage when the Government takes over the mines under my proposal. What I am trying to do in my limited way is to bring labor and management to their senses, so to speak, to the point where they will, through collective bargaining, finally work out this program without serious consequences to the economic conditions of this Nation.

Let me say just one more word, if I may, to the able Senator. There is no one who appreciates the conditions in certain mining areas more than does the Senator from Illinois, and there is no one who knows better that reforms are needed, than does the Senator from Illinois. But I ask the question whether or not to accomplish these reforms at this particular time is it necessary to wreck

the entire economy of 137,000,000 people? That is the question I ask.

Mr. PEPPER. Mr. President, I thank the able Senator from Illinois for that statement of his position. I know how sensitive he is to the conditions under which people live in this country, and what a strong advocate he has always been for bettering the standard of living of the people of the Nation. But when the Senator goes a little bit further into the heart of the problem he will realize that, after all, whether a group of men go down into a mine and work or not is a matter which is personal to them. So far as I now know there is no authority of the United States Government or in Congress to subject those men to imprisonment or the loss of rights if they do not desire to go down into those mines and work for their employers, in spite of the fact that I individually may suffer from the fact that there is no coal in this country, any more than there is any law or power in Congress to put in the penitentiary a mine owner who closes his mine down and goes to Europe, notwithstanding the indirect effect would be that I did not have coal, which I might need.

The whole society which we have is an interdependent society, and the profit motive is the primary impulse that keeps men working in the mines and keeps management worrying with management problems, and keeps capital investing capital in enterprise.

But Mr. President, all those are not actions which are subject to compulsion. Let me just put this case. Let us suppose that those who provide the capital for these mines decline to advance their capital any further, or should choose to withdraw it. Can we pass a law putting them in the penitentiary because the indirect effect of it was to close the mines?

Mr. President, strangely enough we never seem to attach any responsibility in a strike to management, but it is always the fault of labor. It makes no difference what the wage is, it makes no difference what the working conditions are, it makes no difference what the record of casualties is; it is in the public mind nearly always the fault of labor, because that is the dramatic thing, that is the easy thing—to blame the employee for quitting work, however unsatisfactory the working conditions. And the whole fervor of the animosity of the public many times, and sometimes a great deal of the antipathy of the Congress, is directed at some symbol of the employees. John L. Lewis becomes the devil. But nobody is telling us about how many times management has not paid the wages they should have paid or provided the facilities they should have provided, or how many defaults on their part have had to do with the fact that we do not have coal here today.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. LUCAS. I just want to say to the able Senator that the argument he has last made does not apply to me.

Mr. PEPPER. Oh, no.

Mr. LUCAS. Because I have said some pretty bad things here on the floor of the Senate about the National Manufac-

turers Association, about the National Chamber of Commerce, and others when I believed their position was unwarranted and unreasonable. I will continue to do so when I think they are wrong. But as I view the thing, John L. Lewis puts himself in the same position some of these industrial barons have placed themselves in time gone. However, I do not want to talk about that at this time in the debate. I should like to ask the able Senator this question, or simply make this observation.

Take the doctors and nurses in hospitals. Under the law, they do not have to work. They do not have to go to the hospital tomorrow. Suppose there was a strike all over the country with respect to hospitals and doctors?

Mr. PEPPER. Have not doctors the right not to operate on a single person in the United States tomorrow?

Mr. LUCAS. That is correct; but there would be a hue and a cry.

Mr. PEPPER. We are not talking about that. We are talking about legal rights.

Mr. LUCAS. The farmers of the country do not have to produce any more food than is necessary to take care of themselves and their families.

Mr. PEPPER. That is correct.

Mr. LUCAS. And yet agriculture is the basic industry upon which everyone must depend.

Mr. PEPPER. That is quite correct.

Mr. LUCAS. Some of these days we may find the farmers doing some of the things which others are not doing. They will be saying, "We are not going to produce any more than we have to produce unless someone gives us what we want." It may be in the South. It may be in certain sections of my part of the country, where farming is not so profitable. The farmers may say, "We want more, as a result of what we do for this Nation and the world, than we are now getting, and we are not going to produce any more until that time comes." They will have the right to do that.

Mr. PEPPER. The Senator is correct. They have that right. I was born on a farm, and I have worked on one, but I do not profess to be one of the Senate's farm experts. But I have been reading in the newspapers that the Government must follow the most delicate operations to keep farmers from feeding too much corn to hogs. If they get a better price for corn in hogs than they get for corn out of hogs, they will feed the corn to the hogs, no matter how much the Government and the people may cry for corn. What is that but the farmer making an election, as a private citizen, as he has a right to do, to feed his corn to the hogs instead of selling it to the starving people of Europe? That is a part of the private enterprise system about which we hear so much, and to which we are all so much attached.

Mr. LUCAS. I should like to set the Senator straight on the corn-hog problem.

Mr. PEPPER. I know that the Senator is an expert on it.

Mr. LUCAS. I am not an expert; but I remind the Senator that 85 percent of the corn we raise must be fed to hogs and cattle in order to produce some of

the ham and choice steaks, which Senators eat.

Mr. PEPPER. Then there should be a better balance of distribution, because we are not getting as many as we would like to have. [Laughter.]

I do not say it in any serious criticism, but we all occasionally fall into error. I dare say that the able Senator from Virginia [Mr. BYRD] would not agree with all the things which I have advocated, because he feels that I have fallen into error. There may be cases in which we are not in agreement because the able Senator believes that I have fallen into error in my philosophy and in what I advocate.

I should like to make a suggestion about the pitfall of error into which some of my brethren have fallen. They are great defenders of private enterprise. They are the most dynamic advocates of a private enterprise system when they are talking about their kind of private enterprise. One could not convince the Senator from Virginia that anyone had the right to tell him how many apples to grow in his great apple orchards. If anyone told him how many apples he had to grow, and how many days he had to spend in his apple orchards, he would cry to high heaven that it was a violation of his constitutional rights. He would say, "I will grow apples or not grow apples, regardless of how much people need apples or how much they like them." He would think that he was preserving the system of private enterprise if he preserved his right to grow as many apples or as few apples as he wished to grow.

I thoroughly agree with him, but I say that one man working in a mine has the same right that the able Senator from Virginia has. He is an American citizen. If the Senator from Virginia does not have to work in his apple orchard except when he wishes to do so, the man working in the mine does not have to work in the mine except when he wishes to work; and we can no more put a bayonet at his back and make him go down and dig coal in the dark and dangerous bowels of the earth than we could put a polished bayonet on an ornamented gun in the hands of a uniformed soldier at the back of the distinguished Senator from Virginia and send him out to his apple orchard with a hoe in his hand. How we feel about this thing called private enterprise is illustrated by the expression "It all depends on whose ox is being gored."

Mr. HAWKES. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. HAWKES. I wish to make only one comment.

Mr. PEPPER. I am glad to yield.

Mr. HAWKES. I believe the Senator from Florida is anxious to state the facts in accord with what has happened in the United States.

Mr. PEPPER. I should like to do so. I wish I knew everything that has happened.

Mr. HAWKES. I do not believe the Senator meant to say what he said a few moments ago, that when big businessmen did something which injured the public nothing was said about it, but that



when a labor leader did such things he was violently attacked.

Mr. PEPPER. No—

Mr. HAWKES. Or words to that effect.

Mr. PEPPER. I said that when there is a strike or a stoppage of work, too often all we hear about is the worker, because that is the dramatic side of the picture. We never hear about all the things which management does which contribute to the stoppage of work.

Mr. HAWKES. I thought the Senator left the impression that we never did anything when anyone in management or ownership did something that seemed wrong; and I wish to remind the Senator that we have done a great deal.

Mr. PEPPER. The Senator is correct.

Mr. HAWKES. We have taken some very decided steps, in some cases to the point where I have considered the action to be almost unconstitutional. I have always said that one can lead a horse to water, but he cannot make him drink.

Mr. PEPPER. That is correct.

Mr. HAWKES. We shall never accomplish any good in the solution of these very difficult problems if we approach them in a spirit of anger.

Mr. PEPPER. I am glad to hear the Senator say that.

Mr. HAWKES. Labor has grown up. It has had plenty of time to grow up. I have implicit faith in the workingmen of this country, if we will only give them the protection of law to which they are entitled in going to and coming from work. They have their rights. The history of the United States shows that the laboring man of today is the capitalist of tomorrow. He has his rights. But labor unions have had an opportunity to grow up. They have an obligation to the public. They have assumed power and have within their grasp power which in my opinion sometimes makes them as strong as the Government, if not stronger. That is a position which the Senator and I do not want any group in America to occupy.

Mr. PEPPER. Would the Senator provide in any legislation which he would endeavor to have enacted that the same restrictions be imposed upon management and capital that are imposed upon labor?

Mr. HAWKES. I certainly would; and I believe that is the only solution to our problems. I thoroughly believe that we are working in the interests of millions of working men and women in this country when we enact laws which are fair laws, which control labor leaders to the same extent only that they control management and ownership. I believe that such controls and restrictions must be equalized. Otherwise I predict that the so-called free enterprise system will be a thing of the past. I do not particularly care for the name "free enterprise system." I call it the American way of making a living. I do not want it to be a thing of the past. I believe that it is in the interest of the poorest man in the country to keep alive the system which permits the poorest man to advance from a railroad section gang to the presidency of a railroad. I believe that the Senator

and I have a duty to try to solve these problems without anger. I assure the Senator that I have seldom had any trouble with labor. For 50 years I have got along beautifully with labor.

I believe that we have a duty to the people of the United States and to the working men and women of the United States to see that labor leaders are regulated so that they do not disorganize the working crew of the United States, and to see that management and capital are regulated to such an extent that they do not usurp the rights which belong to the people.

I thank the Senator.

Mr. PEPPER. I always profit by what the Senator from New Jersey says; and I thank him.

Let us take a particular situation. The Senator has laid down some good principles, which sound fine; and I know that in his heart he means them. Yet he is thinking in terms of the power which exists in John L. Lewis, which, of course, is one of the most striking examples of absolute power over workers. Yet, so far as I know, it is with the acquiescence of the workers. So far as I know he does not use violence or weapons to compel the workers to elect him. The Senator is talking about John L. Lewis' power being regulated by law.

Mr. HAWKES. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. HAWKES. I do not want the Senator to misunderstand me, and I do not want a wrong impression to be gained from the Record. I am not talking about John L. Lewis at all. I am talking about the over-all situation of regulating labor leaders so that they will be law-abiding and look after the rights and interests of the working people, and not usurp their rights.

Mr. PEPPER. Mr. President, I was saying that perhaps the amendment does not state all that the author had in mind. When the employees are represented by their representatives, and capital investment is represented by its representatives, we have both sides represented. But the Senator does not propose to lay down any standards to govern the conditions under which management shall exercise its negotiating power. He does not propose that management shall agree to employ so many workers. Are Senators who are so anxious to enact this legislation willing to say that no employer in negotiations with an employee group may offer less than a specified minimum in terms of hospital benefit and other benefits? Do Senators really mean to place labor and management in an analogous position?

If they do, it is very difficult to accomplish that purpose, because, in general, management represents dollars, and the labor leader represents men, women, and children—human souls. Management thinks in terms of profits; labor in terms of food, clothing, and shelter, which may mean life itself.

Mr. HAWKES. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. HAWKES. I believe the Senator will admit, because he has traveled widely

and seen conditions in other parts of the world, that our terrible system of making a living, and the terrible relationship between employer and employee, as depicted by certain Senators and others, have led to the finest standard of living in the world. If he does not admit that, I should like to have him tell me where else in the world there is a condition such as the one we have in the United States.

Mr. PEPPER. Mr. President, I say to the Senator that for more than 300 years my ancestors have been exceedingly well satisfied with the United States.

Mr. HAWKES. And so have mine.

Mr. PEPPER. And I think we are going to continue to be satisfied.

Mr. HAWKES. In referring to me, the Senator from Florida said, in effect, "The Senator from New Jersey does not say that management should be compelled to pay so much to establish a welfare and safety insurance fund." I ask him this question: Is there any law which provides that a man cannot ask for any wages he can obtain which fit within the economic circle? I have not heard of anything of that kind.

Mr. PEPPER. But, Mr. President, suppose the man cannot get it, and then he strikes. Then, under the proposed measure, the Congress would make him go back to work.

Mr. HAWKES. I think not.

Mr. PEPPER. That is the attempt which now is being made.

Mr. HAWKES. I say to the Senator that I am one of the strongest advocates in the United States of the preservation of the right to strike in a lawful way.

Mr. PEPPER. Is there anything unlawful about what John L. Lewis is doing now, Mr. President?

Mr. HAWKES. I shall not go into that question at the moment. I am saying—and I know that the Senator from Florida feels about the matter the same as I do—that a great national emergency has been created by what John L. Lewis happens to be doing now.

Mr. PEPPER. That is correct.

Mr. HAWKES. And we may have another emergency of the same sort at some other time.

Mr. PEPPER. That is correct.

Mr. HAWKES. That is why I am not thinking of John L. Lewis. I am thinking of the national welfare and the emergency which confronts our people.

I am saying that if I were to do something, with a plant which I might own, to jeopardize the national welfare, I am sure the Senator from Florida and every other Senator who is a good American—and I think most Senators are—would see to it that prompt action was taken to correct the situation in the interest of the welfare of the people of the Nation.

The Senator from Florida has asked how we can secure the desired results. I think I know how, and I say that if it is impossible, God help America. I say that if we pass a law which is fair and which does not do any greater hardship by way of controlling labor leaders than already has been done by way of placing restrictions on capital and management, and then if the President of the United

States and the Members of Congress all appealed to the decent, patriotic impulses of the people of America to go back to work, I think they would go back to work under those circumstances. I say to my dear friend the Senator from Florida that if we do not do it, God help America, because the workingmen will suffer just as much as will anyone else.

Mr. President, remember that we cannot tear down the temple without having it fall on all alike. In Germany, labor thought Hitler was wonderful when he took capital by the back of the neck and shook it and rattled it around; and subsequently capital thought it was fine when Hitler took labor by the back of the neck and shook it around. But finally Hitler took both of them by the back of the neck and threw them into a bag and tied it up and threw it down the sewer. The result was a desolated country and, finally, a desolated world.

The greatest obligation on all Members of Congress is to enact fair laws—not laws which preclude strikes, because when we make people work at the point of a bayonet, we have nothing but dictatorship, as the Senator from Florida well knows.

Mr. PEPPER. Yes; certainly that is the case.

Mr. HAWKES. But we must enact fair laws. If I had my way, after the Congress enacted fair laws I would have many good Americans begin to make speeches over the radio and in all other forums which did not hiss hate at the various groups of the people of America, the way it has been hissed for months and months now, and I would say to the American people, "Let us try to solve our problems gradually, and not try to solve them all at once."

Mr. President, I wish we had a man who was big enough—a man like Abraham Lincoln—to put his arms around all the people of America and say to them, "Let us begin to cooperate with each other to solve our own problems as rapidly as possible without shutting down our Nation."

Mr. PEPPER. Mr. President, the Senator from New Jersey is to be commended for the splendid spirit he has manifested. He has pointed out that the private enterprise system which we have has produced the high standard of living and the greatest economy in the world. But it grew that way, Mr. President, with the right of the employees to strike and the right of the employees to exercise their economic bargaining power and the right of the employees to work when they were satisfied to work, just as it grew from the right of capital to invest when it was satisfied that it would obtain a profit, and the right of management to work when it was satisfied that it would receive a proper reward. That is what built America.

Yet because the complicated nature of the economy has become such that if a few hundred thousand men quit work our economy is stagnated, some Senators have been led to advocate something much different from what the committee did, namely, to advocate arbitration machinery and provision for Federal assistance in the direction of arbitration and mediation, under a bill on which the com-

mittee labored for months. But some Senators wish to have the Congress pass a law which will keep John L. Lewis from doing again what he has done. That is what they are aiming at.

I realize that many people feel that the present strike situation has become a menace to society. But they have not thought the situation through, as the Congress must do if it is to legislate properly for the 130,000,000 people of America.

In the final analysis, Mr. President, the able Senator from New Jersey was coming very close to the truth when he said, "Let us proceed on the basis of persuasion and appeal to the people and let us try to enact laws that are fair." He might well have added a recommendation of what the committee had recommended to the Senate, namely, the setting up of machinery to help management and labor get together and arbitrate their differences.

Mr. President, for years the able Senator from Montana who sits on my left has been advocating, as has the able Senator from New York [Mr. WAGNER], that the Congress enact a national health insurance plan which will make it possible for the people of our country to obtain adequate health safeguards under a plan to which they may contribute. It may be that if we had progressed more rapidly toward the enactment of legislation providing for such a program, the present condition would not have been imposed by John L. Lewis. If it had been possible for the workers to have paid 1½ percent of their salaries each month as employees, and for their employers to have paid a similar amount, to provide an insurance fund out of which the workers could obtain hospital, medical, and dental care, I dare say that John L. Lewis would not have imposed the condition which has led in a considerable degree to the stoppage of mine production at the present time.

Mr. MURRAY. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. MURRAY. Does not the Senator from Florida agree that one of the principal difficulties which confronts us is that there has been no free flow of public opinion? Very few of us know what this coal strike means. We are struggling to enact legislation without having had a previous hearing and without knowledge of the facts involved in the controversy. The public has been fed only one side of the story.

A similar situation exists with respect to nearly every other important problem which arises in the United States. For instance, the propaganda which has been put out against the national health insurance bill is probably the worst example of that sort of thing which exists in the United States. For years a fight was made against the workmen's compensation law, for instance. It was claimed that it was communistic, that it was regimentation, that it would destroy the Nation. Yet, after it was enacted it worked so well that today no one would dare ask that it be repealed.

A similar situation exists in the case of the problem now confronting us. The measure now before the Senate has been

rushed before the Senate because of the emotional appeals which have been made through the newspapers to the people of the United States. It seems to me that this measure should be sent to a committee for study, to enable the committee to discover the facts, before an attempt is made to have the Senate take action.

Mr. PEPPER. The Senator from Montana is entirely correct.

I hold in my hand a copy of the Case bill, so-called, as reported by the Senate Committee on Education and Labor. It was reported on April 15 on the legislative day of March 5 of this year. It has been on the Senate calendar since the 15th of April. Yet not until the John L. Lewis coal-production stoppage occurred did we get excited about consideration of this measure. But when that situation became acute and when it became obvious that the economy of the country was slowing down in its functioning, then Senators suddenly realized that there was not any legislation to prevent or to correct such a condition. Then they began to grope at a remedy, in the utmost sincerity; they began to seek some way by which the situation might be cured.

All we are requesting is what we requested the other day—namely, that this matter be recognized as going to the very fundamentals of the Nation's economy, that Senators recognize that they are dealing with the civil rights of the citizens of the United States, that Senators recognize that they are being asked to legislate, not just against John L. Lewis and 400,000 mine workers, but in respect to the working force of the United States, composed of over 62,000,000 men and women, boys and girls. Mr. President, we are basing our action upon the supposed facts of the coal-strike situation, but most of us openly admit that we do not know what the facts are. All we know is the picture which has been given us by the press.

Mr. President, I think John L. Lewis has erred, if the press has not misrepresented him, in putting more emphasis on John L. Lewis than upon the unsanitary conditions existing within the homes of the miners, and the rate of mortality and casualties which occur among them. I think the public would have understood better if Lewis had emphasized those conditions. But, Mr. President, I have had some experience with the press, as I know other Senators have had. It is a great deal easier to have printed in the press something of a spectacular nature than something of a factual nature, however appealing it should be. What about our Washington newspapers? The conditions to which reference has been made have been known to the minds of the people for a long time. Until recently, none of the Washington newspapers had devoted very much space to those conditions. Until the Lewis coal stoppage occurred, we did not see in the Washington newspapers anything such as we saw this morning in the Times Herald concerning the character of houses in which miners live.

Until Mrs. Meyer, who is interested in humanitarianism, visited miners in their homes a few days ago we did not see



anything in the Washington Post about the plight of miners. It was only when John L. Lewis, with his power—and I must say with his courage—decided to stop our economy did we interest ourselves in the homes of miners. I do not know why the press had not played it up before. Why did not the Congress a long time ago pass a law providing that no commodity moving in interstate commerce may be moved unless it comes from localities in which sanitary conditions are satisfactory? Why can we not now impose such a condition throughout the Nation in connection with the exercise of movements through the channels of interstate commerce? no; the truth is, Mr. President, that we go along callous to the sufferings of miners, and we ignore their appeal and their entreaties until a man like John L. Lewis throws them in our faces. Then we want to excuse our own delinquency by striking madly out against him with all our force and power.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. LUCAS. Assuming that the newspaper reports are correct, is the Senator defending the actions of John L. Lewis in this particular case?

Mr. PEPPER. Mr. President, as to whether or not I am defending John L. Lewis, is a matter which we lawyers would call in a court of law a legal conclusion. I defend the right of any American to refuse to work for anyone for whom he does not wish to work.

Mr. LUCAS. Does the Senator know of anyone who is attempting to force through such a situation?

Mr. PEPPER. The entire controversy now taking place is that John L. Lewis has said that he and his miners will not work for us unless we provide for a health fund and certain other things.

Mr. LUCAS. Does the Senator know of any other Senator who takes the position that he can force anyone to work unless he wants to work? I do not know of any Senator who takes such a position.

Mr. PEPPER. No. The Senator from Florida would have to admit the truth of what the Senator from Illinois has said. Yet, because some Senators cannot do what they would like to do they try to find some indirect way of accomplishing the same effect. For example, my able friend the Senator from Illinois has an excellent labor record, and he would not compel miners to go into the mines. But, if they refused to do so he would take from them certain seniority rights and other benefits. I would say that that attitude represents a form of coercion of a man with respect to his own labor.

Mr. LUCAS. No; my bill would not attempt to compel a man to work, but it would lay certain economic sanctions upon him if he refused to work in the public interest.

Mr. PEPPER. Yes.

Mr. LUCAS. I make such provision in the bill only because economic sanctions are also being applied to millions of people in this country at the present time through the actions of certain groups who seek, as the Senator has said,

to help themselves through the type of strike which we are now witnessing.

Mr. PEPPER. Yes.

Mr. LUCAS. So long as a particular strike does not affect a tremendous segment of society, no one can have any objection to it. But it does seem to me that the time has arrived when a minority group entrenched with power, such as John L. Lewis and his group now have, to the extent that they can stifle, slow down, choke, and stagnate the economy of the Nation to the point where it interferes with orderly government—we must attempt to do something about it. It must be done through Congress or the executive branch of the Government. I am one who believes that it can be done. I do not believe there is any minority group in this country, at least there has not been up to the present time, which can destroy this Government. As surely as I am standing here, if this strike should continue for a period of 60 days, and no miner went to work, it would not be safe for the family of the Senator from Florida or the family of the Senator from Illinois to leave their homes at night. That is what I believe would be the future situation of this country as the result of a continuation of the strike. I pray God that it will not happen. But that is the result which the Senator from Illinois fears from a prolonged coal strike. That is why I have been insistent, and perhaps somewhat belligerent, in connection with the great problem now confronting us all. I have seen Mr. Lewis before in strikes, and I have never seen him very conciliatory or cooperative. I hope the President of the United States, and others who are dealing with John L. Lewis will be able to persuade him. I hope the President will be able to show him and the operators the light.

I undertake to say that John L. Lewis is traveling a most dangerous course. He has tremendous responsibilities resting on his shoulders. He, too, must be concerned in protecting the welfare of all Americans, including those of the miners. As the Senator from New Jersey said a while ago, they too will suffer in this crisis if the condition is allowed to continue.

Mr. PEPPER. I think the Senator from Illinois. The Senator from Florida recognizes the significance of a few men who occupy key places in our economy exercising their full power. I have so stated many times. But, Mr. Lewis is not the only man. I assume that Mr. Philip Murray could call out the steelworkers of this country and we would not have any steel. The situation resulting from a strike of that kind would be almost comparable to the coal strike, so far as the economy of the country is concerned. I dare say also that the head of the telephone operators could call out the operators, and that would result in practically a stagnation of our modern complicated industrial life. I dare say also that the railroad workers, involving only a few hundred thousand persons, could prevent the trains of this country from running, and the country would be just about as bad off as it would be without coal. I dare say that there are several drug manufacturers in this country who

make, for example, penicillin and other drugs essential to the public welfare. If they should suddenly cease operations literally thousands of men, women, and children would die each day.

No, Mr. President; Mr. Lewis is not the only one who has great power in the United States. But the problem is, have we arrived at a place where we know what the remedy is? Are we willing to abandon the constitutional guarantees against compulsory labor in order to prevent the situation taking place which is taking place today? Are we willing to abandon constitutional protectives in order to remedy some unfortunate situation? That is the question which confronts us. Yet, Mr. President, some Senators would legislate upon that complicated question not in a committee, but here upon the Senate floor. They would deliberate upon that matter not in the sense of the tradition of the Senate as being the greatest deliberative body in the world, but under the impulse of the passion aroused by their animosity toward John L. Lewis. Senators know that to be true. The newspapers are full of statements to that effect. Senators are saying it on the floor of the Senate and in the cloakrooms. The reason we are debating the pending bill today, the reason we almost set aside consideration of the joint resolution for a British loan, and the reason we would have set aside consideration of the proposal to extend the Selective Service Act and take up the pending bill, is that Senators were mad at John L. Lewis.

They thought they would be able to prevent a repetition of what John L. Lewis has done, and at the same time cure the situation which now exists. I assert that such a hope is a delusion and a snare. The Senator from Virginia [Mr. Byrd] is not interested in the little hospital fund which the miners want. What he is really striking at is that which is being struck at by the telegrams which pour in every day, many of them coming to me from my State. The senders of the telegrams do not want these work stoppages to occur, but they have not stopped to consider how they would feel if Congress were to pass a law making them work for someone whom they did not wish to work for, and under conditions which were not satisfactory to them.

Mr. President, I realize this is one of the difficulties and problems which have made our lives so complicated, and the causes of them are all interdependent. If a lever be pulled, a great machine will stop. If 400,000 coal miners are taken out of the mines the Nation's economy will stop. I am aware of that fact. But a long time ago our forefathers wrote a Constitution. They treasured the words which they put into that Constitution, just as we have treasured them ever since. In that Constitution they wrote their concepts of individual liberty, such as the freedom of an individual to act according to his choice, except in well-defined categories and exceptions.

I know we can send the soldier to war, but we can send John L. Lewis' son or anyone in his household, or him, if we apply the same law we apply to everyone else. John L. Lewis has not been

exempted from the selective-service laws, or the war powers of the United States Government. The sons of the miners have died in battle like the sons of others in this country, and I dare say no less bravely. They are not within the exception. They are asking only for the privilege every other American has. He will work if he gets the contract he likes. I can tell anyone I will not work for him because I do not like the color of his eyes, and what can anyone do about it, unless we change the whole concept of individual liberty and freedom in the United States?

I started to say a while ago that some of our friends criticize men like the Senator from Montana [Mr. MURRAY] and me and others on this floor because we want to pass a compulsory health insurance law, when that is the only way, in our opinion, that most of the men, women, and children of the United States will get the kind of hospital and dental and medical care to which they are entitled. We are willing to use the power of the Government to accomplish the purpose, to make them join an insurance fund. We would be taking a sum of money away from them. They would not have to work, but if they did work, we would take 1½ percent, it is agreed, out of their wages each month, we would take the same amount out of the employer's treasury, and put the money into a common fund, in an effort to provide for the health of the people of this country.

We also favor a minimum-wage law. We tried to get one across here a little while ago, a bill providing a minimum of at least 65 cents an hour. It is said we are totalitarian, that we do not believe in individual freedom, that we have forsaken the concept of *laissez faire*, which is eighteenth-century liberalism, that we do not have the right to be called liberal, that only they who would leave everyone completely free have the right to the honor of the appellation of "liberal." But when it comes to labor, they have no reluctance about becoming totalitarian. They are perfectly willing to lay the heavy hand of legislation upon the back of the workingman, Mr. President. They are perfectly willing to interfere with his freedom, and then claim the right to be called liberals.

Mr. LUCAS. Mr. President, will the Senator from Florida yield?

Mr. PEPPER. I yield.

Mr. LUCAS. I should like to have the RECORD show, and to have the Senator corroborate, that I favored the minimum-wage bill.

Mr. PEPPER. I am sure of that.

Mr. LUCAS. I supported it to the utmost, even as against my agricultural interests, in attempting to defeat adding the cost of labor to the parity formula, because I knew that if that went in, the minimum-wage bill would not become law in this country.

Mr. PEPPER. The Senator is quite correct. His record has been excellent in both respects I have mentioned.

At one time in my life I worked in a steel mill. How many hours a day did I work? I worked 12 hours. How many days a week did I work? I worked 7 days a week and 12 hours a day.

How long did the little boys and girls of the South have to work in the cotton mills? I used to see them in some of the cotton mills in the Southern States, with their little sorrowful faces, pallid, shrunken human beings coming out of the cotton mills, with lint in their eyes and in their hair and in their souls. Yet anyone who tried to better their working conditions was an agitator, and many times those who tried to organize those workers were driven out of their quarters by deputy sheriffs and policemen, who were on the company pay roll, beating them over the head or applying to them some other kind of coercive force. Just go back and read the record compiled by the Senator from Wisconsin [Mr. LA FOLLETTE] and the Senator from Utah [Mr. THOMAS], who disclosed the browbeating and the other acts of bullies, coercion, and intimidation inflicted upon the working people of this country by management, Mr. President, until finally some humane legislation, under the great-hearted Franklin D. Roosevelt prevented them by the Federal power from such abuses and such vicious practices. Yet, Mr. President, when workers try to organize in some of the States of the Union they still run into bullies, they still run into violence.

Talk about protecting constitutional rights. Very well, protect the constitutional rights of a labor organizer to go into a community and call a public meeting of workers and address them about the advantages of unionization, and see to it that he is not interfered with by the local police or the sheriff or some hired representative of management who does not want the worker to exercise the right of organization.

Mr. President, all history tells the pathetic story of what the working men and women of the world have had to endure, but it is the labor union, to a large extent, which has lifted them up even to the pitiable place they now occupy. Now that the labor unions have gotten to be a real power, now that they can pit 500,000 miners against \$500,000,000, management cries to high heaven that they are being imposed on, and they run down to Congress to get Congress to bail them out from their own perfidy and delinquency.

Mr. President, every time legislation has been proposed to better the plight of the workers, to raise the standards of their living, there has always been very determined opposition coming from some of the same people and some of the same papers we hear about in this case. And speaking of the papers, they seldom have given both sides of the controversy, where one side was the workingman and the other side was management, because their eyes are closed to the workingman's experience and to his tragedies and his appeals, in all too many instances.

Mr. President, all we know about the coal strike is what we have read in the papers. In too many instances, I regret to say, the papers are not disposed to give the full facts, at least from the viewpoint of the working people. It has been my experience that as a general rule the story of the workingman is not fully told, and it would not have been told in the present instance even as completely as it

has been if it had not been for the drama of the stoppage of work in the mines that sent Mrs. Agnes Meyer and representatives of the Times-Herald into the mining districts of this country to tell us in the Washington papers what conditions really are.

I dare say there are few Senators on this floor who have made a personal visit to the mines. I have made but one visit, on one Sunday afternoon, and the management very graciously offered to take me for a ride inside the mine. I made the mistake of accepting. They took me 5 miles back into the bowels of the earth, through the chasms and corridors of that mine. I think it was one of the most awesome experiences I ever had. Speaking only as a tourist in the mine, not a worker, I recall that I had to lean over in the little cart, water was dripping from the top and from the sides, and the little old cart ran off the track about half the time. One never knows where he is going to run into a gas pocket, or whether there is going to be a failure of some sort which will maroon him in the mine. I say that even when one is carried on a conducted tour it is an awesome experience to go far back into the recesses of the earth in the modern mine. Those who have to do that day in and day out for their livelihood are entitled to very sympathetic consideration on the part of all who have to deal with the problems.

Mr. President, I started to say that because the facts are not always fully presented on both sides, public opinion never gets a chance properly to form. I do not believe all the individuals whose telegrams I read this morning as coming from my State would have sent those telegrams if they knew the facts in this controversy, if they had thought through the problem that presents itself to us. But all they do is to read a newspaper which is owned by some railroad or owned by big men who are antilabor anyway, or a syndicate which much of the time is antilabor anyway, and they get the colored story which dramatizes the fault of the miner and says nothing at all about the fault of the management.

That is not true in all cases, Mr. President, but I am saying that public opinion's furor and fervor is traceable in a great many instances to the fact that the people have not had all the facts in these labor controversies.

A little while ago we had some strikes for wages to be increased in the steel industry and in the automobile industry. How many people do Senators suppose knew actually what were the living conditions of the men in the automobile factories and in the steel mills; or how much their standard of living had been torn down by increase of prices? No; individuals could not obtain their automobiles, and they got mad with the steel workers or the automobile workers. Later on, when the President had the courage to come in and force management to settle the strike, and automobiles finally started to trickle out a little, then the public forgot about the matter. The public never did actually make a critical scrutiny of the causes of the strike to see how much management was at fault as well as labor in the controversy.



Mr. President, I have before me some figures for the bituminous coal mines giving the number of days a year that the coal miners have worked since 1919.

In 1919 they worked 195 days a year; in 1920, 220 days a year; in 1921, 149 days; in 1922, 142 days; in 1923, 179 days; in 1924, 171 days; in 1925, 195 days; in 1926, 215 days; in 1927, 191 days; in 1928, 203 days; in 1929, 219 days; in 1930 187 days; in 1931, 160 days; in 1932, 146 days; in 1933, 167 days; in 1934, 178 days; in 1935, 179 days; in 1936, 199 days; in 1937, 193 days; in 1938, 162 days; in 1939, 178 days; in 1940, 202 days; in 1941, 216 days; in 1942, 246 days; in 1943, 264 days; in 1944, 278 days.

Mr. President, it will be seen from those figures that the miners have seldom had a whole working year. I wonder how many times the mine operators have agreed to give them an annual contract, at an annual wage, and employ them the year round? I wonder how many times management has said, "Gentlemen, would you not rather have a fixed income per year? We will guarantee you \$2,000 a year, if you will work every day that work is available in the mines."

That would give stability to the miner's family budget. That would give a decent standard of living to the miner's family. And the situation with respect to work explains oftentimes, I dare say, why, when the miner comes in to negotiate, he insists upon a rate for an hour's work that seems like a very excessive amount to the ordinary lay observer.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. HATCH. Does the Senator know whether any definite proposal for an annual wage has ever been made by either labor or management?

Mr. PEPPER. I do not know.

Mr. HATCH. Or whether any discussions have been had on the part of either?

Mr. PEPPER. I do not know whether any discussions have been had on the part of either. In a good many industries I know management is taking advantage of the authority in the wage-hour law of 1938 to provide annual or semiannual contracts for the employment of the workers. I am informed by the chairman of the Committee on Education and Labor that more than 36 corporations of the country have already put into effect the annual wage. That is a very salutary thing, Mr. President.

Mr. HATCH. The reason I interrupted the Senator when he merely casually mentioned the question of an annual wage was that I thought he was putting his finger perhaps on the fundamental cause of labor disputes, strife, and discord in this country, and that is because there has not been stability with respect to work and wages. I think a far more important question is that men have stability of employment than the question of wages per hour. I have made some study of the subject, and can corroborate what has been said about a number of corporations in this country which have voluntarily put into effect an annual wage program. In all cases I know of wherever the plan has been inaugurated it is working most success-

fully and is helping to keep down continuous strikes, or reducing the causes for strikes and discord. I had hoped that the Senator would be able to tell me that either management or labor, or both, in the coal-mining industry, were making a strong constructive effort to work out a plan whereby wages could be stabilized and men could have employment the year round.

Mr. PEPPER. I thank the able Senator for his characteristically valuable contribution. No, I cannot say whether either side has proposed an annual wage in the mines or not, but I will say that one of the beneficial effects of the bill which the committee reported out is to make it possible for conciliators and mediators and representatives of the Government to help the two parties in finding a basis for peace instead of strife in our industrial relations.

Mr. HATCH. Mr. President, will the Senator yield again?

Mr. PEPPER. I yield.

Mr. HATCH. No more valuable contribution could be made than that. Again expressing my opinion I will say there will be no peace in labor relations until our present system of a daily and hourly wage is gotten away from.

Mr. PEPPER. I thank the Senator very much. That shows how right I think some of us are in saying that this is not the kind of thing that calls for rash action. There may be Senators who think that the workers of this country are arbitrary and greedy and avaricious. Frankly I do not think history bears out that accusation. I think that the ordinary man who works is trying to better himself; yes. Perhaps the worker of today is the capitalist of tomorrow. But that man is primarily thinking about a decent standard of living, not as a capitalist, but as a worker for himself and his family. He wants to put his family, the children whom God has blessed him with, the wife who as a bride he carried over the threshold—he wants to put them in a place, a habitation, that can be called a home. Not in a peasant's cottage in Europe, but in the home of an American workingman. And he wants enough wages to pay rent. He wants the Federal Government to make it possible for him eventually to buy such a home for himself and his family. He wants enough food, Mr. President, that will give a balanced diet to the children whom he has fathered.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. HATCH. I want to disagree with one statement the Senator has just made, which is that the workingman wants the Federal Government to provide the way by which he can buy a home. I think the workingman ought to be able to do that himself as the result of his labor. I do not think the Federal Government ought to have to do that.

Mr. PEPPER. The able Senator is placing the emphasis on private enterprise and self-help. I am sure that upon reflection he will understand that what I am talking about is something like the Federal Housing Administration, or some provision by the Federal Government by which it will be possible for the worker

to buy a home. I happen to have been one who could not have bought his own home without the help of the Federal Housing Administration, and I know what it means. That is what I am talking about. The worker wants to be able to rent or, with the aid of his Government, to buy, the kind of a house that he can call a home.

Mr. HATCH. Of course I do not disagree with the Senator's statement as to the value of the Federal Housing Administration; but I still insist that our system should be such that the workingman could provide his own home without having to receive aid from the Federal Government.

Mr. PEPPER. I wish it were. Perhaps the private loan companies and private capital will follow the example of the Federal housing plan and the Federal public assistance in housing, so that at some time it will not be necessary for the Government to aid. It may be possible at some time for the workingman, by his own efforts, to acquire his own home. We certainly look forward to that happy day.

Mr. President, I do not regard the American workingman as any more greedy, avaricious, and selfish than management. He wants a home. He wants a decent diet for his family. When his children go to Sunday school or day school, or to the social affairs of the community, he wants them to wear clothes which will not embarrass them. He would like to have a radio in his little cottage. He would like to have an automobile. His children read the advertisements about motion-picture shows, and they want to go. The family would like a little vacation occasionally. When his child becomes ill he wants to be able to get a doctor and pay him, and to place the child in a hospital if necessary. He wants to be able to provide adequate medical care for his family.

His wants are the ordinary aspirations of the ordinary American. No one can tell me, Mr. President, that merely because he has learned that he and his fellow workers may get together, they have in mind wrecking management or wrecking private enterprise, or wrecking the American economy. They do not. Ninety-nine times out of a hundred the demands which they make are just. They are not always just. Perhaps sometimes they go too far. I believe that at times they quibble over nonconsequential matters. I do not have the slightest sympathy for jurisdictional strikes. There ought to be some way for the Government to provide arbitrators to settle such disputes without the stoppage of work being necessary. But ninety-nine times out of a hundred workmen are asking only the laborer's hire, and approximately the same number of times out of a hundred management is trying to keep wages down to the lowest possible level. If it costs too much to provide better working conditions, employers will try to get out of it in every way they can.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. PEPPER. I shall be glad to yield in a moment.

Today I heard it said by someone that the woeful conditions which prevail in

the mining districts exist because the mines are only temporarily in operation, and that if management had to install plumbing in all the houses it would cost too much, because the mine would soon be closed, and management would lose all the benefit of such costly installations. I mentioned one case in which a man stated that his grandfather had worked in the same mine.

I presume that people living in mine houses remain there at least as long as soldiers lived in barracks, and as long as war workers lived in temporary housing; and yet we installed plumbing in those buildings. We placed some sanitary safeguards around them. I see no reason why it should not be done by management in the case of all mines.

I now yield to the Senator from New Mexico.

Mr. HATCH. The Senator has passed the point where I rose to interrupt him. The Senator vigorously condemned the jurisdictional strike. I believe that practically everyone in the country agrees with him. He stated that he favored arbitration under such circumstances. Would that include compulsory arbitration?

Mr. PEPPER. I will gladly address myself to the subject of compulsory arbitration, because that is the effect of the amendment of the Senator from Illinois. In committee I have voted against compulsory arbitration. Why did I vote against compulsory arbitration? Because I am not yet willing to surrender the private-enterprise system to governmental mandate and authority. If we give the arbitrator the power to fix wages we must also give him the power to fix profits. If we give him the power to fix salaries of workers we must also give him the power to fix the salaries of management. If we give the arbitrator the power to fix wages and salaries for management and labor, we must give him the power to fix the rate of dividends which management may pay or investment. If we give him those powers, we must give him the power to determine how much management may lay aside for future use. In substance, if he is to settle the matter he must have control over every aspect of the controversy, and all the interests of both parties to the controversy.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. HATCH. I narrowed my question because I realized that the Senator would probably take the view which he did with respect to compulsory arbitration generally, which includes all the things which the Senator has mentioned. So far as I know, no one favors compulsory arbitration to that extent; but there are cases in which compulsory arbitration might be proper. I specifically asked the Senator about the jurisdictional strike. Would compulsory arbitration be favored in that instance?

Mr. PEPPER. In answer to the Senator's question, I would be willing to grant authority to bring jurisdictional strikes under the authority of compulsory arbitration. I would be unwilling to let it go to the point where one side or the other might be required to perform labor

compulsorily. If some way could be devised whereby the rights of the parties could be determined in case of conflict so as not to impose compulsory labor upon any worker, or take away seniority rights and other rights of that character, I should like very much to see some such machinery devised.

Mr. HATCH. The jurisdictional strike would not in any sense involve compulsory labor. As the Senator well knows, a jurisdictional strike is a dispute in which two unions merely dispute as to which one shall perform the labor.

Mr. PEPPER. Yes.

Mr. HATCH. There should be some way of determining which ones shall have the right to do the work.

Mr. PEPPER. I believe that such authority might well be conferred upon the National Labor Relations Board, so that it could settle the question after hearing, and make certification under the National Labor Relations Act.

Mr. HATCH. Things like the jurisdictional strike are doing the cause of labor more harm than anything else. Such disputes ought to be settled according to established procedures of law, arbitration, or otherwise.

Mr. PEPPER. Mr. President, I have made reference two or three times to some pictures of mining towns. I hold in my hand a copy of the Washington Times-Herald of May 13, 1946. This particular page is devoted to photographs of some of the mining cottages in a mining town. Under this particular picture of a row of houses with open privies I find the following description:

This is Kenvir—and Privy Row. It is only 30 feet—through cow and swine excretion—from kitchen door to privy. There are no bathtubs in the four-roomed frame house. The lucky ones have running water; and that's the way it's always been.

At the bottom of the page there is a photograph of a group of small boys—six of them, to be exact—standing in front of a dump pile. The caption of the picture is as follows:

Here is dumped the refuse from the privies—along with dead cats, dogs, and mis-carriages. Here, too, barefoot boys root for scrap iron and hogs root for garbage. The burning dump is only 600 feet from the homes of the miners.

Those are only a few of the conditions depicted.

I am not willing to send John L. Lewis to the penitentiary or to make John L. Lewis pay a fine of \$10,000 because he says to management, "We will not go back into the mines until we get some decent health provision for our workers." Those who are excited about the strike do not see the scenes which are depicted in this newspaper.

A few minutes ago the able Senator from Illinois spoke about an amendment which he is to propose. I am sorry that I have not had an opportunity to read the entire amendment. The Senator asked what could be done. I said that if the Government were to be vested with authority, in case it takes over the mines, in this case, for example, to determine what the contract ought to be, then I see no reason why the Government could not get the parties together. But even if the

Government takes over the mines, we have the further question of whether the workers will work in the mines. I realize that it would make the workers appear in a bad light if they did not work for the Government. But do the workers of Washington have to work for the Government? Can they not quit and go home if they so desire? No matter how badly the Government may need them, can they not quit? If a girl becomes homesick, can she not go home? Can not a man go home from Washington if he so desires? Could not even Senators quit if they became too tired of being Senators? Would not they be able to resign without anyone denying them the right to resign from the laborious and important duties of Senators? So when we come to grips with the implications of this situation we get to the very heart and core of the constituency of modern society.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. HATCH. I feel compelled to interrupt to say that, of course, there is a vast difference between the individual employee of the Government becoming homesick and going back home, or a Senator resigning, and a whole industry quitting work and plunging the entire Nation into disaster. That is the difference, and it is quite a difference—so much so that if it were only a question of an individual workman, of course none of these measures would even be considered.

But, as the Senator was discussing so ably—as he always does—the rights of the individuals, with the protection of which we are all concerned, I thought of the fact that not only must the rights of individual workers be protected and the rights of management also be protected, but there is a right of the great body of the public which cannot be squeezed between these two contending factions without having the whole Nation brought to distress. That is what confronts us in a situation of this kind.

Certainly I approve of the Senator's statement that we should not legislate in haste and passion, and all that. But certainly, in all these controversies, we must bear in mind the rights of the great public. That is where our duty as the representatives of the people perhaps is strongest. To act for the welfare of the public as a whole, rather than for either of the contending factions.

Mr. AIKEN. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HOEY in the chair). Does the Senator from Florida yield to the Senator from Vermont?

Mr. PEPPER. I yield.

Mr. AIKEN. I should like to ask this question: If the Government has not felt it practical or feasible to take over the mines under the presently existing law, is there any reason to believe that it would find it practical or feasible to take them over under another law which the Congress might pass?

As the Senator from Ohio [Mr. TAFT] pointed out the other day, it would be difficult for the Congress to enact strike



legislation any more severe than the Smith-Connally Act or to provide any penalties more severe than those now provided in that act. I am sure that the Smith-Connally Act provides that the Government may seize the mines and that if thereafter any of the miners quit work or slow up work they shall be subject to very severe penalties. If I remember correctly, the penalty is a fine of \$10,000 or 5 years' imprisonment.

Certainly the Congress, today or next week, or 2 weeks from now, is not going to pass legislation which will deal with the coal strike any more severely than does the legislation which now is on the statute books. That is why I was opposed to having the Senate take up this permanent labor legislation before it acted on the extension of the draft and on the OPA bill.

Mr. HATCH. Mr. President, I think there is quite a difference between the amendment which the Senator from Illinois proposes and the Smith-Connally Act. I am not altogether familiar with what the Senator's amendment proposes, so I am not able to discuss it in detail at this time. But I wish to say that I think the pending legislation should have been taken up long ago, long before there ever was a coal strike; and the Congress should have set up and made permanent the procedure by which mediation and conciliation and various other processes would be commenced—some of which could have been exercised long before the coal strike arose, and perhaps in time to have prevented it.

Mr. AIKEN. Yes, Mr. President, it is entirely possible that if that had been done, we would have avoided some of the strikes which have occurred.

However, the measure now under consideration cannot be considered as emergency legislation which is required in order to deal with the particular situation which exists today in the coal industry.

Mr. PEPPER. Mr. President, that is the situation which presented itself before this hasty action was decided upon by the Senate and before Senators gave notice—not that they intended to vote to have the measure taken up in order to have the Senate pass the bill recommended by the Committee on Education and Labor—but that, on the contrary, some Senators openly said, they would use the bill reported by the committee as a vehicle with which to enact some really effective legislation against the labor strike situation. That is the whole problem at present.

Mr. AIKEN. And they felt that the time to get the most severe antilabor legislation through the Congress was while the public generally was mad at John L. Lewis.

Mr. PEPPER. Exactly. Senators knew that with the general animosity existing in the country against John L. Lewis, now was the time to pass some stringent anti-Lewis and antilabor legislation.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. HATCH. I wish to say that I am not going to act on the basis of anti-

Lewis and antilabor legislation. I have tried for many months to get this subject before the Senate, and I hope it can be considered calmly, reasonably, and properly, with the result that proper legislation will be enacted.

I am prompted to say now to the Senator from Florida what I was prompted to say to him when he was discussing these measures on the floor of the Senate the other day, when he said that the Senate Committee on Education and Labor has not acted hastily. Mr. President, in view of the long time which has been taken by that committee, I wish to say that I am sure it did not act hastily. In fact, it might have been better if it had acted more promptly, so that we might have taken up this measure before the crisis arose.

Mr. PEPPER. Mr. President, I thank the Senator from New Mexico for saying that our committee has deliberated carefully on this legislation.

Mr. HATCH. Oh, Mr. President, I did not say that the committee has deliberated carefully on this legislation. I say that it did not act hastily—

Mr. PEPPER. Very well, Mr. President; I thank the Senator for saying that the committee did not act with haste on this legislation.

No, Mr. President; the committee did not act hastily, for two or three obvious reasons. One was that we wished to hold hearings which would give the public a chance to be heard on the question of the enactment of such important legislation. The second reason was the very honest and earnest doubt which a majority of the committee had as to whether the strictures embodied in any legislation which the Congress might enact could prove anything other than what the Smith-Connally Act has proved—in short, a disappointment to those who advocated it as a means of preventing or curing work stoppages in the United States.

Mr. President, I have said before that when the Smith-Connally Act came before the Senate the war was still in progress. I believe I had as good a record of supporting labor as did almost any other Member of the Senate. Yet I felt it was my duty as a Senator and as a citizen to do anything I could do to advance the progress of the war. I had advocated in the early days lend-lease, selective service—many of the things for which I think some people called me—mistakenly, as I believe—a warmonger. But I felt that if I were asked to vote against labor or anything else, I should do so if such action would result in advancing the progress of the war. Of course, a work stoppage at that time would have impeded the progress of the war, and accordingly, would have exacted tolls in human life.

Therefore, I made a speech against John L. Lewis and against his practices and his arrogance. I made a speech in which I said that the time had come for the friends of labor to ask for certain concessions of certain technical privileges which they had; and that if they did not make those concessions, in the long run they would suffer in the loss of rights which they had carefully built up.

Although I then knew that there was question about the efficacy of the Smith-Connally Act, there was the same mass telegram and mass letter impact from the people back home who were earnestly concerned about the stoppage of production, and I thought perhaps the Smith-Connally Act would do some good in stopping work stoppages; and, therefore, I voted for it.

Now we have the Smith-Connally Act on the statute books. It was enacted against the same John L. Lewis and against the same miners. Yet now we find that we wish to pass another act. We have found out that we had harbored a delusion and a snare when we thought that these statutory provisions would stop work stoppages.

Mr. AIKEN. Mr. President, will the Senator yield to me?

Mr. PEPPER. I yield.

Mr. AIKEN. I should like to observe that I do not think we need to go back as far as the Smith-Connally Act to find the ineffectiveness of certain kinds of legislation in taking care of certain kinds of labor leaders. I think we need go back only a few weeks, to the time when the Congress passed the so-called anti-Petrillo bill. It was passed for the purpose of putting Mr. Petrillo in his place, once and for all. I believe that about 2 days after the act was signed, Mr. Petrillo doubled his demands. But, so far as I know, he has not gone to jail. Neither has anything else happened to him.

Mr. PEPPER. Mr. President, when we get to the very fundamental of the matter, we find that we must decide whether the public interest in the maintenance of production drops the scales down against the preservation of the individual liberty of the individual worker to work for another man upon his own terms. That is essentially what is involved in the entire controversy.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. HATCH. I merely wish to observe, further, that I have frequently said on the floor of the Senate, in connection with other legislation, that I think whenever the Congress acts hastily in the light of any individual or any specific condition which has arisen, it is likely to enact bad legislation. I do not believe in that way of legislating. But there are times when in the Senate we are confronted with situations in which we find it impossible to obtain legislation—in fact, in which we find it even impossible to have proposed legislation considered—until something does happen to arouse the public mind and to arouse Senators and Representatives.

In justice to all those who, perhaps, took advantage of the present condition to get a labor bill considered on the floor of the Senate, I think it should be said that they were justified in doing so because of the strong attitude of some against any legislation whatever.

I voted to take up the bill at this time with that situation in mind, regretting that we had to legislate in the light of such conditions, but believing that if we did not legislate now, in all likelihood this

session of Congress would end and there would be no legislation of any kind whatever. I believe that many of my fellow Senators voted because of exactly the same reason, and did not desire to take advantage of the situation. They were rather forced and compelled to do what they did.

Mr. PEPPER. Mr. President, we all respect the honesty and the sincerity of purpose of the Senator from New Mexico in connection with every matter, including the present one. But feeling equally strong that the Senate would not take up this bill and calmly and dispassionately act upon it, I was one of the nine Senators who voted against taking it up. Had it been under any other circumstances the chairman of the committee, or the majority of the committee, would not have opposed consideration of the bill at any time. But we knew that if the bill were taken up at the present time it would receive a consideration which would be appropriate to the atmosphere of the times and the circumstances. We knew that when we measure the rights of workers to work on their own terms against the public interest, we are making one of the most important determinations of public and constitutional policy that the Government can make. If we break down the right of the individual worker in one case it can be broken down in another. When we legislate, Mr. President, we must think not only about the particular case involved, but also about other cases to which the same applications may be made.

Mr. HATCH. I know of no person who seeks in any way, or to any degree whatever, to break down the rights of the individual worker. There is a vast difference—I think that probably in this respect is where the Senator and I do not agree—between the manner of exercising the right to which the Senator refers, and of taking it away from someone. No one proposes to take any rights away from anyone. However, there is a way by which rights may be exercised and the public protected.

Mr. PEPPER. The only question which is important in this controversy is that of whether the miners will mine the coal. The public is interested only in whether it is to be furnished with coal. The only way to get the coal is for miners to dig it and have it brought out of the bowels of the earth where it may be placed in channels of commerce. The only way we can obtain coal is to do something that will compel miners to dig it and have it transported.

Mr. HATCH. I think I can say for the public in general, and for Members of Congress, that we are all interested in something more than the digging of coal. I think the Senator will find Congress perfectly willing to provide, for example, every safety measure which should be provided. I do not believe there is a single American citizen who wants men to mine coal when in so doing they are subjecting themselves to unreasonable dangers and hazards. I do not believe that the American public wants men and women and children to live in hovels such as those shown in the pic-

ture to which the Senator has referred. I think the American public is perfectly willing that every reasonable safeguard be provided for the health of miners and their families. Furthermore, I think it is our duty to take steps to preserve all those measures. But on the other hand, the public does not like to be taken by the throat and told that it must do something.

Mr. PEPPER. Mr. President, the miners are a part of the public. I am told that there are 400,000 of them. The average family is supposed to consist of four. That would mean there are sixteen hundred thousand persons who compose the families of American miners. They are a part of the public. They do not like to have someone take them by the neck and tell them what they must do. They are American citizens. They do not want to mine coal without a satisfactory contract. At least, that is what they say. Again, all I know is what I read in the reports published in the newspapers. The miners do not want to renew their contract, even for a livelihood, until they receive a certain health fund and certain safeguards. Mr. President, do we have the right to tell them, whether they are satisfied with their contract or not, that they must go back into the mines and mine coal because we need the coal? To deprive them of their right to refuse to go into the mines if they do not want to do so would be to make one of the most serious deviations from constitutional right and liberty which could be proposed. If we could succeed in such measures insofar as the miners are concerned, we could succeed in imposing similar requirements on railroad workers, on telephone workers, on steel workers, and on the men and women who are employed by the drug manufacturers and all other essential occupations. Our economy today is so complicated that we could enforce such demands on practically every element of our working population.

Mr. HATCH. I probably do not know about everything that is contained in the pending bill. But if there is anything in the bill which would do what the Senator has said, or if there is anything in any proposed amendment along that line, I would like to have the Senator point it out.

Mr. PEPPER. The Senator from Virginia [Mr. BYRD] has an amendment which I construe would put John L. Lewis, William Green, Philip Murray, or John Smith, for example, in jail if he attempted on behalf of his workers to administer for his union a health fund, or if he demanded one as a condition of the reexecution of a contract. I do not know what other amendments will be proposed, but I dare say there are some pretty drastic amendments which will be proposed before we complete consideration of this bill. But, Mr. President, what Senators are endeavoring to achieve is the enactment of a law which will provide power to be exercised by the Federal Government in preventing work stoppages. Whether it be done directly or indirectly, it is, nevertheless, a form of coercion. Senators do not want the public interest to suffer. All I am suggest-

ing is that in correcting the situation we must balance the suffering which the public interest will sustain in the one instance against what the public interest might sustain if we deprive workers of this country of their right to work for others on their own terms.

Mr. HATCH. I fail to see in the pending bill, or in the amendment offered by the Senator from Virginia, anything which even touches upon a coercion of employees and a compulsion that they shall return to the mines and resume work. There is not a single thing in either measure which would infringe upon their rights in that regard. The right of John L. Lewis to administer a health fund created by a tax upon every ton of coal is altogether different from the right of an individual workman to make his contract with someone else under which he will work. In my opinion and judgment, there is absolutely no connection between the two.

Mr. PEPPER. With all deference to my friend, whose legal judgment I highly esteem, I cannot agree with what he has said. What the Senator from Virginia [Mr. BYRD] calls a royalty, and what he calls a tax on a ton of coal, Mr. Lewis or the miners might call a health fund. I understand that Mr. Lewis has said, in effect, "We will not sign a working contract with management unless management agrees to provide a health fund consisting of a certain amount of money equivalent to 10 cents a ton for every ton of coal mined."

Mr. President, if Mr. Lewis, John Smith, or Bill Jones wants to say to his employer, "I will not enter into a contract with you unless you provide a certain kind of health protection which will be satisfactory to me," and I know anything about the Constitution of the United States, he has the right to say so. And after having said so, if he does not get what he asked for, he may turn on his heel and walk out of the employer's office and be on his way. For having done that there is no power of which I know in this Congress or in this Government which can deprive any man of any right of liberty or property which he may possess.

Mr. President, I have stated the fundamental issue involved here. Why do not Senators face it squarely? If they believe that, in the balancing of the public interest against private interest, we should deny to workers in essential industry their right to refuse to work, let us debate it and discuss it on the floor of the Senate, and ascertain what we can devise as a solution of this acute problem. No, Mr. President, it cannot be done in any roundabout way of circumlocution. Everyone knows what the proponents of these amendments are endeavoring to do. They are endeavoring to provide punitive measures against John L. Lewis and the miners, or others similarly situated. I ask whether the people of the United States are at the present time willing to enforce compulsory labor upon any man for another man's profit without conditional terms of employment. It was said a while ago that the mines might be subjected to the same criteria to which rail-



roads are subjected. Two Senators have already pointed out that the Interstate Commerce Commission fixes the rates which railroads may charge for services which they render. Is business generally in this country willing to accept that kind of control?

The Interstate Commerce Commission rules how much the railroads may pay in the way of dividends. Are the mine owners willing to accept those conditions? If labor and management would submit their enterprise and their controversy to compulsory governmental arbitration, let the Government fix wages, fix salaries, fix dividends, fix the amount which should be set aside for future use, fix the amount of the advertising fund of the industry, along with all else, well and good, it could be done that way, provided we were willing to do it that way. But would it not be better to have an occasional strike, even by so arrogant and able a leader as John L. Lewis, than it would be to make industry and labor fit into that kind of a governmental strait-jacket? That is what we are talking about, the balance of interest. Of course, we have often been vexed and in many instances hurt by what Mr. Lewis has done, but I have been in the Senate for 10 years, and I have noticed it is a little difficult to get all the social legislation through one would like to have to prevent things like the present trouble occurring.

If we do not want houses like those now existing to be the homes of miners, let the Senate send a committee tomorrow to investigate, and if they find them a disgrace to America, let them return and report, and let us pass a bill to remedy the condition as quickly as we passed the draft bill a few days ago. Does anyone think we can get that done in the Senate? If the miners are not getting enough wages, let us send a Senate committee to the mines to find out what they should get, let the committee return, and let us act according to its report.

I will say, out of some justification of John L. Lewis, that if it had not been for his dramatic bringing of the facts surrounding conditions in the mines to the public attention, nothing would have been done about it, either by management or by the public; and that is too often true. It is conditions like that, so long neglected on the part of management, which oftentimes force labor to take the dramatic stands they take, so often to the detriment of the whole public. Yet I should like to go back over the history of the betterment of the conditions of working men and women in this country and see how many of the improvements have graciously and beneficently been bestowed upon the uncomplaining worker by the generous employer.

According to my observation, most of the betterments men and women have achieved, and improvements they have got in their working conditions have come about after a battle to better themselves. They have had to fight management, they have often had to fight the police, they have had to fight in many instances a bought press, and in many cases an

unworthy, unscrupulous crowd of bought politicians. Only in the last few years, since labor unions have come to have some money and some power comparable in a small way to the power which big business has, have they come to be able to exert any collective power politically upon their public representatives. And now, as soon as they are able to exercise such a power, what do we hear? A determination to make it impossible for them to exercise the power.

But any Senator who tries to advocate a liberal policy, to run in any State of this Union, has to fight the moneyed interests of the State. No one can tell me anything about that subject, because I have been experiencing it for a good many years myself. I know where the money comes from ordinarily against a Senator who stands here and fights for what we call liberal legislation. Those who oppose him can dump hundreds of thousands of dollars into a perfidious pot, but if the CIO contributed a thousand dollars, they will cry to high heaven like a stuck pig.

Mr. President, I rejoice in the growing strength the labor unions are beginning to acquire, although it is an infant strength compared with what they will eventually have. Thank God they are men and women who have votes, and they have learned how they can put their votes and their dollars together, and stand up a little bit against the opposition.

Most of the papers are owned by people who are antisocial and antiliberal, and who are getting money out of advertisers who do not want us to pass beneficent legislation. I thank God that the labor unions are getting to the point where they can stand up and walk like men, and not have to crawl like animals across the face of the country.

Mr. President, they are going to grow stronger instead of weaker. They may have their little temporary set-backs. A combination in Congress may emasculate their power, it may curb their authority and their rights. All the bitter, vicious propaganda of the politically kept and bought may sometimes discredit them in the eyes of the public, but there is more political integrity in a labor union than there is in most trade associations.

When we are talking about subjecting labor unions to certain criteria, then I want to know how many of these trade associations are going to be put under the same rules and regulations. When we talk about collecting income taxes from labor unions, I want to know if we are to collect income taxes from trade associations—the National Association of Manufacturers, the United States Chamber of Commerce, the Associated Industries, in my State, and many other organizations of that character. When we are talking about putting curbs on labor leaders, I want to know when we are to put curbs on the power of money interests who exercise their authority in such a way as to affect adversely the economy of our country.

Mr. BALL. Mr. President, will the Senator yield?

Mr. PEPPER. I think it is time we began to put these things in the same

scale. I yield to the Senator from Minnesota.

Mr. BALL. A while ago the Senator spoke about some of the amendments being punitive, and just now he mentioned curbs on management. I wonder if he would regard the National Labor Relations Act, which certainly applies considerable compulsion to management in the labor-relations field, as punitive.

Mr. PEPPER. It depends on the spirit in which it was enacted. The act was simply to protect the workmen in the enjoyment of the rights they should have had protection in a long time ago.

Mr. BALL. Was it aimed primarily at the correction of what Congress felt to be abuses on the part of employers which had developed in the labor-relations field?

Mr. PEPPER. That is correct.

Mr. BALL. To do that it had to apply certain restraints on employers, and it did so.

Mr. PEPPER. That is correct.

Mr. BALL. Is it not quite possible that some of us might believe that unions, in their share of the labor relations picture, have also developed abuses which need some correction, and would the Senator then apply the adjective "punitive" to any attempt by legislation to correct those abuses?

Mr. PEPPER. I would not. As I said, it would depend on the spirit in which the legislation was proposed. But there are those, the able Senator well knows, who take advantage of every opportunity to try to inflict some kind of restraint on labor and it is entirely possible that there are people like that today who are interested in the pending legislation.

Mr. BALL. Does the Senator believe that there can be organizations as powerful economically and politically as labor unions are today—and the Senator just expressed the hope they would become 10 times more powerful—

Mr. PEPPER. I did not say 10 times more, I said many times more.

Mr. BALL. Does he believe there can be such organizations subject to absolutely no restraint, and still have a free democracy, without complete domination by such powerful organizations?

Mr. PEPPER. I am willing to subject them to the same controls, that are comparable, to which we subject management, and those who have millions and hundreds of millions at their beck and call and at their disposal. There are plenty of men sitting in New York today—the chairman of the board of directors of the United States Steel Corp., for example—who, by the mark of a pen, can exercise more power than any labor union in the United States. Yet, I do not see anyone curbing their power.

Mr. BALL. I never met one of those gentlemen; but one of the abuses of unions today which was clearly brought out in our hearings is their use of the secondary boycott to create economic monopolies, which are as vicious as any brought about by the great trusts of 50 years ago. Yet the majority of the Senate Committee on Education and Labor refused to adopt any amendment which

would put any kind of restraint whatever on unions in the use of their tremendous power today to create absolute monopolies to the detriment of the consuming public.

Mr. PEPPER. Yes; and private business in this country today can sell an automobile to anyone to whom they want to sell it; they can sell a radio to anyone to whom they want to sell it; they can say, "You are a Republican, and I do not like you," or "You are a Democrat and I do not like you. I will not sell you a radio, even if my warehouse is bursting with them." And what can we do about it? So today, speaking of a secondary boycott, if a worker says he will not associate himself with certain people, what are we to do about it without curbing the right of selection we all have in the business world?

Mr. BALL. I am sorry, but we do not let them have it in the business world. If businessmen combine to create monopoly, they are subject to prosecution under the antitrust laws, as the Senator knows.

Mr. PEPPER. Yes; if there is a combination in restraint of trade as a part of a business practice. This is not done as a part of restraint in violation of the Sherman antitrust law, as the court has held. In one case it is business enterprise carrying out a business purpose; in the other case it is one individual associating with others according to his own standards.

I do not have to deliver a truck of groceries to the Senator's house if I do not want to deliver it, whether I am the grocer who owns a grocery store or not. We cannot make a truck driver deliver a load of groceries to my house if he does not want to, any more than we can make a grocer sell me a dollar's worth of groceries if he does not wish to.

Mr. BALL. We do not let a grocer combine with two other grocers and say, "This one shall serve these customers, and the other these customers, and we will double our prices." Grocers cannot do that. The Supreme Court has held unions can do it, and they are doing it.

Mr. PEPPER. That is not the typical case of the boycott.

Mr. HATCH. Mr. President, it is apparent the Senator from Florida is not going to be able to conclude this evening. The Senator from Kentucky has asked me to have an executive session.

Mr. PEPPER. That is all right, if the Senator will let me finish a sentence or two more, then I shall desist, with the understanding that I may resume tomorrow.

I wish to make just one more statement and then I shall conclude for today. The Committee on Education and Labor, under the able chairmanship of the distinguished junior Senator from Montana, has labored long and diligently and faithfully in trying to find the kind of legislation that the Congress properly can enact at the present time, and I do beseech my colleagues that they give us a chance to have this bill, over which we have labored so much, considered on the floor of the Senate before it is cast aside and spurned by the adoption of new amendments which have had no commit-

tee consideration and cannot possibly be considered with any thoroughness or fairness when brought to the attention of Senators here on the floor.

Mr. President, all of us are interested in the solution of the problem of continued production. We want to find the best answer we can possibly find, but we want to evaluate and to weigh all the considerations involved, and I do hope that instead of proceeding angrily or hastily or piecemeal, that we will so deliberate upon this legislation that in the months or years to come we may look back at our efforts here with pride and real satisfaction.

I should like to ask unanimous consent to retain the floor tomorrow.

Mr. MURRAY. Mr. President, before the Senator sits down, I should like to ask him a question. Is it not a fact that throughout the hearings which we held, the leading authorities in the field of labor relations came before us and fortified us in the conclusions we have arrived at which we placed in the bill we reported?

Mr. PEPPER. The Senator is absolutely correct.

Mr. MURRAY. Here, for instance, is the statement made by Mr. Davis, who is one of the very well known experts in the field of labor relations.

Mr. PEPPER. And who was chairman of the War Labor Board during the war.

Mr. MURRAY. He said before the committee:

Now, what is the relation of strikes and lock-outs to this situation?

The creative adventure of the conference table loses all color of reality if the workers who have been deprived of their right to reject management's offer and quit, or if management had lost its right to refuse the workers' terms and close the plant. It is, in the last analysis, the pressure of this right to strike or to lock out that keeps the parties at the conference table; that tests their courage, resourcefulness, and decision. Especially in times of emergency like the present time, those who are not involved in a dispute, the general public, are too prone to think of a strike as an unmitigated evil. The man on the street is not likely to know, or very much to care, about what the controversy means to those who are in it. He wants peace and production. He resents the stoppage and the strife. He is likely to feel as though the strike were an insult or an injury aimed at him directly.

But the truth is, Senators, that the people are the primary sufferers in a strike or lock-out, primarily. They are the one who pay the bills, and it is particularly the individual wage earner who suffers most, because he is generally the one with the least resources.

All through the month of hearings we were fortified and supported in our conclusions by the ablest men in the country in the field of labor relations.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4761) to amend the National Housing Act by adding thereto a new title relating to the prevention of speculation and excessive profits in the sale of housing, and to in-

sure the availability of real estate for housing purposes at fair and reasonable prices, and for other purposes.

#### VETERANS' EMERGENCY HOUSING ACT— CONFERENCE REPORT

Mr. BARKLEY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4761) to amend the National Housing Act by adding thereto a new title relating to the prevention of speculation and excessive profits in the sale of housing, and to insure the availability of real estate for housing purposes at fair and reasonable prices, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That this Act may be cited as the 'Veterans' Emergency Housing Act of 1946.'"

"Sec. 1. (a) The long-term housing shortage and the war have combined to create an unprecedented emergency shortage of housing, particularly for veterans of World War II and their families. This requires during the next 2 years a house-construction program larger than ever before. The first step toward such a program is to overcome the serious shortages and bottlenecks with respect to building materials, to expedite the production of such materials, to allocate them for house construction and other essential purposes, and to accelerate the production of houses with preferences for veterans of World War II and at sales prices or rentals within their means. To carry out this program, it is necessary to invest a housing expediter with adequate powers, including the power to issue policy directives. Accomplishment of these objectives will assist returning veterans to acquire housing at fair prices, stimulate industry and employment, prevent a post-emergency collapse of values in the housing field, and promote a swift and orderly transition to a peacetime economy.

"(b) The provisions of this Act, and all regulations and orders issued thereunder, shall terminate on December 31, 1947, or upon the date specified in a concurrent resolution by the two Houses of the Congress, declaring that the provisions of the Act are no longer necessary to deal with the existing national emergency, whichever date is the earlier.

"(c) The provisions of this Act shall be applicable to the United States, its Territories and possessions, and the District of Columbia.

"Sec. 2. (a) There is hereby created an office to be known as Housing Expediter; and the President is authorized, by and with the advice and consent of the Senate, to appoint an existing official of the Government to serve as Housing Expediter, or to appoint the Housing Expediter either within any existing agency or as an independent officer of the Government. In the event of an appointment of an existing official, he is hereby authorized and permitted to continue in his present post while serving as Housing Expediter, except that he shall receive no additional compensation by reason of his appointment hereunder. If, however, such Housing Expediter is appointed within an existing agency of the Government, he shall receive compensation in compliance with the laws and regulations applicable to officers within such agency; if the Housing Expediter is appointed as an independent officer of the Government, he shall receive compensation at the rate of \$12,000 per annum.



"(b) The Housing Expediter, in addition to such other functions and powers as may be delegated to him by the President, is authorized to—

"(1) formulate such plans and programs as are necessary to provide for an increased supply of housing accommodations of all kinds and, in particular, of homes available for sale or rental at moderate prices to veterans of World War II and their immediate families;

"(2) issue such orders, regulations, or directives to other executive agencies (including the Office of Economic Stabilization and the Office of Price Administration) as may be necessary to provide for the exercise of their powers in a manner required by or consistent with the execution of the aforesaid plans and programs, and to coordinate the activities of such agencies directed to the execution of such plans and programs. Each executive agency shall carry out without delay the orders, regulations, or directives of the Housing Expediter, and shall, to the extent necessary, modify its operations and procedures from time to time to conform to the directions of the Housing Expediter;

"(3) recommend to the President the enactment of such legislation as may be necessary to provide the authority to carry out such plans and programs as are not authorized under existing law;

"(4) consult and cooperate with other agencies of the Federal Government, State and local governments, industries, labor, and other groups, both national and local, with respect to the problems created by the housing emergency and the steps which can be taken to remedy it.

"(c) The executive agencies of the Government shall exercise their emergency powers and other powers for the purpose of aiding in the solution of the problems created by the existing housing emergency, the alleviation of which is vital to an orderly transition from war to peace.

"(d) (1) All functions, powers, authority, or duties vested in the Office of War Mobilization and Reconversion or the Director thereof by the War Mobilization and Reconversion Act of 1944 which are or may be necessary or suitable to enable the Housing Expediter to carry out the provisions of this Act and such plans and programs as such Housing Expediter may develop for the alleviation of the housing emergency, are hereby transferred to the Housing Expediter. The powers so transferred shall include the power to issue orders, regulations, or directives to other executive agencies with respect to the exercise by such agencies of their respective powers and authority.

"(2) The powers so transferred shall continue during the period in which this Act is in effect, notwithstanding any other provision terminating such powers contained in the said War Mobilization and Reconversion Act of 1944.

"Sec. 3. (a) Whenever in the judgment of the Expediter the sales prices of housing accommodations the construction of which is completed after the effective date of this Act have risen or threaten to rise to an extent or in a manner inconsistent with the purposes of this Act, he may by regulation or order establish maximum sales prices for such housing accommodations in accordance with the provisions of this Act. Any such regulation or order may be limited in its scope to such geographical area or areas and to such types or classifications of such housing accommodations as in the judgment of the Expediter may be necessary to effectuate the purposes of this Act. Before issuing any regulation or order under this section, the Expediter shall, so far as practicable, advise and consult with representative members of industries affected by such regulation or order, and he shall give consideration to their recommendations and to any recommendations which may be made by State and local officials concerned with housing

conditions in any area affected by such regulation or order.

"(b) Any regulation or order issued under the authority of this section with respect to housing accommodations the construction of which is completed after the effective date of this Act shall provide that no sale of any such housing accommodations shall take place until after the builder thereof has filed with the appropriate agency designated by the Expediter a description of such accommodations, including a statement of the proposed maximum sales price, and has received from such agency a certification that such price is reasonably related to the value of the accommodations to be sold, taking into consideration (1) reasonable construction costs not in excess of the legal maximum prices of the materials and services required for the construction, (2) the fair market value of the land (immediately prior to construction) and improvements sold with the housing accommodations, and (3) a margin of profit reflecting the generally prevailing profit margin upon comparable units during the calendar year 1941. Any prospective seller of such housing accommodations may apply for such certification at any time, including before the commencement of construction, during its progress, or after its completion. In any case where a certification of approval of a proposed maximum sales price has been issued prior to the completion of construction, the prospective seller may, at any time before the first sale, apply for such revision of the maximum sales price previously certified as may be justified by a showing of special circumstances arising during the course of construction and not reasonably to have been anticipated at the time of the issuance of the earlier certification. The first sale of housing accommodations the construction of which is completed after the effective date of this Act shall not be made at a price in excess of the maximum sales price certified under this subsection. The actual price at which any such housing accommodations is first sold, plus any increases authorized pursuant to subsection (c), shall be the maximum sales price for any subsequent sale of such housing accommodations.

"(c) The Expediter shall by regulation or order provide for appropriate price increases for major structural changes or improvements, not including ordinary maintenance and repair, effected subsequent to the first sale after the effective date of this Act.

"(d) The Expediter may promulgate such regulations as he deems necessary and proper to carry out any of the provisions of this Act and may exercise any power or authority conferred upon him by this Act through such department, agency, or officer as he shall direct. Any regulation or order under this Act may contain such classifications and differentiations and may provide for such adjustments and reasonable exceptions as in the judgment of the Expediter are necessary or proper in order to effectuate the purposes of this Act. The Expediter shall have power to forbid the exportation to any foreign country of any lumber or other materials which are needed for the housing program.

"Sec. 4. (a) Whenever in the judgment of the Expediter there is a shortage in the supply of any materials or of any facilities suitable for the construction and/or completion of housing accommodations in rural and urban areas, and for the construction and repair of essential farm buildings, he may by regulation or order allocate, or establish priorities for the delivery of, such materials or facilities in such manner, upon such conditions, and to such extent as he deems necessary and appropriate in the public interest and to effectuate the purposes of this Act.

"(b) In issuing any regulation or order allocating or establishing priorities for the delivery of any materials or facilities under this section, the Expediter shall give special

consideration to (1) satisfying the housing requirements of veterans of World War II and their immediate families, (2) the need for the construction and repair of essential farm buildings, and (3) the general need for housing accommodations for sale or rent at moderate prices. In order to assure preference or priority of opportunity to such veterans or their families, the Expediter shall require that no housing assisted by allocations or priorities under this section shall be sold within 60 days after completion or rented within 30 days after completion for occupancy by persons other than such veterans or their families: *Provided*, That the Expediter by appropriate regulation may allow for hardship cases.

"(c) The provisions of this section shall not be construed as in any way affecting the power of the President to assign priorities or to allocate any materials or facilities under the provisions of subsection (a) of section 2 of the Act of June 28, 1941, entitled 'An Act to expedite national defense, and for other purposes' (50 U. S. C. 633), as amended.

"Sec. 5. It shall be unlawful for any person to effect, either as principal or broker, a sale of any housing accommodations at a price in excess of the maximum sales price applicable to such sale under the provisions of this Act, or to solicit or attempt, offer, or agree to make any such sale. It shall be unlawful for any person to violate the terms of any regulation or order issued under the provisions of this Act. Notwithstanding any termination of this Act as contemplated in section 1 (b) hereinabove, the provisions of this Act, and of all regulations and orders issued thereunder, shall be treated as remaining in force, as to rights or liabilities incurred or offenses committed prior to such termination date, for the purpose of sustaining any proper suit, action, or prosecution with respect to any such right, liability, or offense.

"Sec. 6. Any person who is aggrieved by any action taken pursuant to any regulation or order issued under the authority of this Act may petition the district court of the district in which he resides or has his place of business for a review of such action, and such district court shall have jurisdiction to enjoin or set aside, in whole or in part, such action or to dismiss the petition. No such action shall be enjoined or set aside, in whole or in part, unless the petitioner establishes to the satisfaction of the court that such action is not in accordance with law, is unsupported by competent, material, and substantial evidence, or is arbitrary or capricious.

"Sec. 7. (a) Whenever in the judgment of the Expediter any person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of any provision of section 5 of this Act, he may make application to the appropriate court for an order enjoining such acts or practices, or for an order enforcing compliance with such provision, and upon a showing by the Expediter that such person has engaged or is about to engage in any such acts or practices a permanent or temporary injunction, restraining order, or other order may be granted and if granted shall be granted without bond.

"(b) Any person who willfully violates any provision of section 5 of this Act, and any person who knowingly makes any statement false in any material respect in any description or statement required to be filed under section 3, shall, upon conviction thereof, be subject to a fine of not more than \$5,000, or to imprisonment for not more than one year, or to both such fine and imprisonment. Whenever the Expediter has reason to believe that any person is liable to punishment under this subsection, he may certify the facts to the Attorney General, who may, in his discretion, cause appropriate proceedings to be brought.

"(c) The district courts shall have jurisdiction of criminal proceedings for violations of section 5 of this Act, and, concurrently with State and Territorial courts, of all other proceedings under this section. Such criminal proceedings may be brought in any district in which any part of any act or transaction constituting the violation occurred. Such other proceedings may be brought in any district in which any part of any act or transaction constituting the violation occurred, and may also be brought in the district in which the defendant resides or transacts business, and process in such cases may be served in any district wherein the defendant resides or transacts business or wherever the defendant may be found. Any such court shall advance on the docket and expedite the disposition of any criminal or other proceedings brought before it under this section. No costs shall be assessed against the Expediter or the United States Government in any proceeding under this Act.

"(d) If any person selling housing accommodations violates a regulation or order prescribing a maximum selling price, the person who buys such housing accommodations may, within one year from the date of the occurrence of the violation, bring an action for the amount by which the consideration exceeded the maximum selling price, plus reasonable attorney's fees and costs as determined by the court.

"SEC. 8. As used in this Act—

"(a) The term 'maximum sales price' means the maximum price for which any housing accommodations the construction of which is completed after the effective date of this Act may be sold and includes the total consideration which may be paid by the buyer for such housing accommodations with accompanying land and improvements, excluding only those incidental charges, such as brokerage fees or commissions or charges, which buyers or sellers of such housing accommodations customarily assume in the community where such accommodations are located and which actually have been incurred for services rendered at the buyer's or seller's request.

"(b) The term 'person' includes an individual, corporation, partnership, association, or any other organized group of any of the foregoing, or legal successor or representative of any of the foregoing.

"(c) The term 'district court' means any district court of the United States, and the United States court for any Territory or other place subject to the jurisdiction of the United States.

"(d) The term 'veterans of World War II' shall include persons who have served in the active military or naval forces of the United States on or after September 16, 1940, and prior to the termination of hostilities in World War II, and who have been discharged or released therefrom under conditions other than dishonorable, and persons serving in the military or naval forces of the United States requiring housing accommodations for their dependent families.

"SEC. 9. There are authorized to be appropriated such sums as may be necessary to carry out the provisions and purposes of this Act: *Provided, however*, That so much of the First Deficiency Appropriation Act, 1946 (Public Law Numbered 269, Seventy-ninth Congress, approved December 28, 1945), as reads '*Provided*, That none of the funds available under this head for administrative expenses shall be used in paying the salary of any person engaged in making or processing loans in excess of \$500,000 to any State, any subdivision thereof, any municipality therein, or any public authority, for construction purposes, unless in pursuance of a specific authorization, except, however, that this provision shall not apply to any application or loan approved or made prior to

December 15, 1945', shall not apply to loans made for construction, removal, or remodeling of housing by publicly supported educational institutions where made for the purposes of housing veterans enrolled and attending such institution.

"SEC. 10. (a) Section 603 (a) of the National Housing Act, as amended, is hereby amended to read as follows:

"(a) In order to assist in relieving the acute shortage of housing which now exists and to increase the supply of housing accommodations available to veterans of World War II at prices within their reasonable ability to pay, the Administrator is authorized, upon application by the mortgagee, to insure as hereinafter provided any mortgage which is eligible for insurance as hereinafter provided, and, upon such terms as the Administrator may prescribe, to make commitments for the insuring of such mortgages prior to the date of their execution or disbursement thereon: *Provided*, That the aggregate amount of principal obligations of all mortgages insured under this title shall not exceed \$2,800,000,000 except that with the approval of the President such aggregate amount may be increased to not to exceed \$3,800,000,000: *Provided further*, That no mortgage shall be insured under this title after June 30, 1947, except (A) pursuant to a commitment to insure issued on or before June 30, 1947, or (B) a mortgage given to refinance an existing mortgage insured under this title and which does not exceed the original principal amount and unexpired term of such existing mortgage: *And provided further*, That the Administrator shall, in his discretion, have power to require the availability for rental purposes of properties covered by mortgages insured under this title in such instances and for such periods of time as he may prescribe."

"(b) Section 603 (b) (2) of the National Housing Act, as amended, is hereby amended to read as follows:

"(2) involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Administrator shall approve) in an amount not to exceed 90 per centum of the Administrator's estimate of the necessary current cost (including the land and such initial service charges and such appraisal, inspection, and other fees as the Administrator shall approve) of a property, urban, suburban, or rural, upon which there is located a dwelling designed principally for residential use for not more than four families in the aggregate, which is approved for mortgage insurance prior to the beginning of construction. The principal obligation of such mortgage shall in no event, however, exceed—

"(A) \$5,400 if such dwelling is designed for a single-family residence, or

"(B) \$7,500 if such dwelling is designed for a two-family residence, or

"(C) \$9,500 if such dwelling is designed for a three-family residence, or

"(D) \$12,000 if such dwelling is designed for a four-family residence:

*Provided*, That the Administrator may, if he finds that at any time or in any particular geographical area it is not feasible, within such limitations of maximum mortgage amounts, to construct dwellings without sacrifice of sound standards of construction, design, or livability, prescribe by regulation or otherwise higher maximum mortgage amounts not to exceed—

"(A) \$8,100 if such dwelling is designed for a single-family residence, or

"(B) \$12,500 if such dwelling is designed for a two-family residence, or

"(C) \$15,750 if such dwelling is designed for a three-family residence, or

"(D) \$18,000 if such dwelling is designed for a four-family residence."

"(c) Section 603 (b) (5) of the National Housing Act, as amended, is hereby amended to read as follows:

"(5) bear interest (exclusive of premium charges for insurance) at not to exceed 4 per centum per annum on the amount of the principal obligation outstanding at any time."

"(d) Section 603 (c) of the National Housing Act, as amended, is hereby amended (1) by striking out of the third sentence the word 'emergency' and inserting in lieu thereof the words 'shortage of housing', and (2) by striking out the last sentence thereof and inserting in lieu thereof the following sentence: 'The Administrator shall prescribe such procedures as in his judgment are necessary to secure to veterans of World War II, and their immediate families, and to hardship cases as defined by the Administrator, preference or priority of opportunity to purchase or rent properties covered by mortgages insured under this title.'

"(e) Section 604 (b) of the National Housing Act, as amended, is hereby amended by striking out the words 'appraised value of such property as determined by the Administrator' and inserting in lieu thereof the following, 'Administrator's estimate of the necessary current cost'.

"(f) Section 608 (b) of the National Housing Act, as amended, is hereby amended:

"(1) by amending paragraph numbered (2) thereof to read as follows:

"(2) Preference for priority of opportunity in the occupancy of the mortgaged property for veterans of World War II and their immediate families, and for hardship cases as defined by the Administrator, shall be provided under such regulations and procedures as may be prescribed by the Administrator:"

"(2) by amending paragraph (3) (C) to read as follows:

"(C) not to exceed \$1,500 per room for such part of such property or project as may be attributable to dwelling use: *Provided*, That the Administrator may increase this amount to \$1,800 where in his discretion, cost levels so require,"

and

"(3) by striking out 'reasonable replacement cost' and inserting in lieu thereof 'necessary current cost'.

"(g) Section 608 (c) of the National Housing Act, as amended, is hereby amended by inserting in the third sentence before the semicolon at the end of clause (C) the following: "and any mortgage insurance premiums paid after default."

"SEC. 11. (a) The last paragraph of section 2 (e) of the Emergency Price Control Act of 1942, as amended (50 U. S. C. 902 (e)), shall not apply to subsidies, which the Reconstruction Finance Corporation may make hereunder, in the form of premium payments used only to the extent that the Housing Expediter (after considering all available means) finds them temporarily necessary to increase the supply of materials for the veterans' emergency housing program and for other construction, maintenance, and repair essential to the national well-being: *Provided*, That not more than \$400,000,000 shall be used for such premium payments.

"(b) The following standards shall be applied by the Housing Expediter to premium payments:

"(1) Premium payments shall be used only temporarily and only with relation to additional units of production beyond that otherwise attainable (as determined by the Housing Expediter by general regulation for the industry involved), where such premium payments are necessary to stimulate such additional production with greater rapidity, economy, or certainty than other available methods.

"(2) The value of the units of production to which premium payments are applied (A) in the case of any new producer (except of new type materials) shall not exceed 50 per centum of the value at the producers' level of the output of such producer, and (B) in the aggregate shall not exceed 30 per centum



of the value at the producers' level of all materials needed for the veterans' emergency housing program and for other construction, maintenance, and repair essential to the national well-being. The average rate of premium payments shall not exceed 25 per centum of the value of the units of production to which they are applied.

"(3) Premium payments shall wherever feasible be applied at a uniform rate within any industry requiring them, rather than at varying rates for each producer.

"(4) The stimulation of necessary additional production by premium payment: shall place emphasis upon avoiding either economic dislocations or adverse effects upon established business.

"(5) New type materials to which premium payments are applied shall be tested for sound quality.

"(c) Not more than \$15,000,000 of the funds made available under this section may be used to the extent that other funds are unavailable for the construction of access roads to standing timber on lands owned by or under the jurisdiction of an agency of Government.

"SEC. 12. (a) The powers vested in the Reconstruction Finance Corporation pursuant to clause (a) of section 5d (3) of the Reconstruction Finance Corporation Act, as amended (15 U. S. C. 606b (3)), may be used to underwrite or guarantee markets for new type building materials and prefabricated houses, but only to the extent that the Housing Expediter finds this necessary to assure a sufficient supply for the veterans' emergency housing program: *Provided*, That the number of prefabricated houses covered by outstanding underwriting or guaranty (including such houses as may be held by the Housing Expediter) shall at no time during the program exceed two hundred thousand.

"(b) The following standards shall be applied by the Housing Expediter to such underwriting or guaranty:

"(1) To avoid impairment of established enterprises, new type materials and prefabricated houses shall be encouraged only to supplement such expanded production of conventional type materials and houses (with access to available materials) as can be achieved with sufficient rapidity and economy.

"(2) There shall be reasonable prospect of either (A) full return to the Government of any funds involved in such underwriting or guaranty, or (B) net cost to the Government substantially lower than under any other available method of achieving the necessary expansion of production. Toward this end, the underwriting or guaranty of such materials or houses shall not be for more than 90 per centum of the producers' standard delivery price. The Housing Expediter shall maintain constant review of experience toward the objective that the total net costs to the Government shall in no event exceed 5 per centum of the total amount of underwriting or guaranty undertaken.

"(3) There shall be clear evidence that the new type materials or prefabricated houses require underwriting or guaranty only temporarily until they attain general market acceptability.

"(4) Emphasis shall be placed upon avoiding either economic dislocations or adverse effects upon established business.

"(5) New type materials and prefabricated houses shall be tested for sound quality and (in the case of such houses) for durability, livability, and safety.

"(6) Any underwriting or guaranty shall require adequate showing by the producer that he has sufficient working capital and experience, and that he can achieve the desired production on time under conditions satisfactory to the Housing Expediter.

"SEC. 13. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the

validity of the remainder of the Act and the applicability of such provision to other persons or circumstances shall not be affected thereby."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

ALBEN W. BARKLEY,  
ABE MURDOCK,  
GLEN TAYLOR,  
HUGH B. MITCHELL,  
ROBERT A. TAFT,  
C. D. BUCK,

*Managers on the Part of the Senate.*

BRENT SPENCE,  
PAUL BROWN,  
WRIGHT PATMAN,  
WM. B. BARRY,  
JESSE P. WOLCOTT,  
RALPH A. GAMBLE,

*Managers on the Part of the House.*

Mr. BARKLEY. Two or three conferees were not in town, and therefore did not sign the report.

Mr. WHITE. I understand that all who were in the city joined in the report.

Mr. BARKLEY. All who were in the city joined in the report, and the House has just adopted the report. I might say that the report as agreed to reduces the amount of the premium payments for stimulation of material from \$600,000,000 to \$400,000,000.

The extension period contained in the bill as it passed the House was lengthened from June 30, 1947, to December 31, 1947, through next year.

In regard to the guaranty of prefabricated houses, the bill as it passed the Senate provided a guaranty of 100 per cent of the sale price, but never to exceed 200,000 units at one time. The conferees reduced that to 90 per cent of the sale price.

Outside of these changes the others are purely textual and routine.

THE PRESIDING OFFICER. Is there objection to the immediate consideration of the report?

There being no objection, the report was considered and agreed to.

ARTICLE BY AGNES E. MEYER ABOUT  
MEMPHIS AND MR. CRUMP

Mr. STEWART. Mr. President, my attention has been called to a most contemptible and obviously malicious and untruthful publication appearing in the Washington Post of Monday, May 13. This article concerns Memphis, Tenn., and Mr. E. H. Crump, and is written by Agnes E. Meyer, the wife of Eugene Meyer, editor and publisher of that paper.

Mrs. Meyer has been busying herself for some time going about over the country and writing articles about different sections, with special emphasis on the South. During the war Mrs. Meyer contributed her patriotic bit by trying to stir up racial trouble between the white and black people of the South, at which time she would visit Army camps. She did her very best to incite race trouble, with only a small degree of success.

Now that the war is over and the country is struggling through the trying period of reconversion Mrs. Meyer, probably having little else to do, again goes South, this time in the interest of CIO-PAC and communism.

She visits one of the South's greatest cities; indeed, one of the Nation's greatest cities; a city which has long since been famously known for its cleanliness, for its general good health and great hospitals, hospitals that are superior to those in Mrs. Meyer's home town; a city free of cheap politicians and graft; a city that has several times taken national safety awards because of its comparatively few traffic accidents.

Memphis is a city which has taken national awards because of the small amount of property destruction by fire; a city which enjoys perhaps the lowest fire-insurance rate of any city in the Nation, and is among those cities which have an extremely low property tax rate; a city where the people, both white and black, are happy and contented and prosperous; where they are at work and at peace with another; a city that has some of the finest churches, of all denominations, that exist anywhere in the land. Mrs. Meyer goes to this city, I say, and undertakes to slander its people. She says that they are forced to "kowtow" to Mr. E. H. Crump, its No. 1 citizen and builder, and one of the greatest men this Nation has ever produced or probably ever will produce. She undertakes to picture Mr. Crump as a sort of Hitler, and she develops fictitious interviews with imaginary persons who whisper to her that Mr. Crump rules the city through fear and intimidation.

Mrs. Meyer seeks to slander the South and its greatest leader. The statement made by Mrs. Meyer about Mr. Crump and the people of Memphis is utterly untrue. It is a malicious, willful, and wanton falsehood.

Mrs. Meyer does not give the name of a single respectable citizen and businessman of Memphis from whom she procured any such information. She uses the same old time-worn gag of deception when she says that they told her these things, but they are "afraid" for their names to be made public. She is a falsifier. Nobody told her any such things as she has written.

Mrs. Meyer claims to be interested in human welfare and improvement of living conditions, and so forth, in the country. She is not interested in any such a thing at all. If she were she would spend more time in Washington, D. C. Her delight seems to be to tear down and to destroy, to abuse, and to slander and vilify. In common parlance, Mrs. Meyer is a "nosy busybody."

The people of the South know that her statement is not true. This is another of her malicious efforts to slander, made in furtherance of a desire and purpose to do injury to a great section of the Nation and to stir up strife and, of course, direct attention to herself. But underneath all of this is the basic desire to forward the cause of CIO-PAC—communism—the old ruse of masquerading as a reformer while trying to advance the cause of democracy's greatest enemy.

But Mrs. Meyer cannot hurt Mr. Crump or the people of Memphis. She will reap only the sound of her own voice and see her own name in print. Neither can she injure the senior Senator from Tennessee [Mr. McKellar] or

Mayor Chandler—two great public servants. All these men have been slandered by able writers. The senior Senator from Tennessee is known for his independence, and he and Mr. Crump are warm personal friends. Mr. Crump is not the sort of man Mrs. Meyer describes at all. He never abuses his friends or holds them up to ridicule as she says. Mrs. Meyer probably got some of her stories from Edward J. Meeman whom she pictures as a hero in a bad land.

Years ago Meeman went to Memphis to drive Mr. Crump out. People have already forgotten Meeman, and Mr. Crump's popularity grows each day. Mr. Crump has been in Memphis about one-half a century. He has grown up with it, so to speak. His everlasting honesty has stood the test of time; not even once has an opponent been able to score on him. He does not have spies; he does not need them. The people down there fairly worship him, and what Mrs. Meyer has to say will not hurt him at all.

Mr. Crump numbers his friends by the thousands. Those who have felt the warmth of his friendship and the strength of his comradeship never forget it. Memphis and Tennessee and the South love him. In an hour of sorrow which came to him and his lovely wife a few years ago, every heart down there beat to the fullness of southern sympathy.

Mr. Crump has character, courage, strength, and friends. He is one of the Nation's all-time great, and the Meyer-CIO-PAC-Communists coalition cannot begin to hurt him or Memphis.

#### EXECUTIVE SESSION

Mr. HATCH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. Hoey in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

#### EXECUTIVE REPORTS OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. THOMAS of Utah, from the Committee on Military Affairs:

Joseph Kormann, for appointment as Assistant Chief, Research and Statistics Division, Philadelphia Branch, Selective Service System, under the provisions of law.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

#### DISTRICT OF COLUMBIA

The legislative clerk read the nomination of John Russell Young to be Commissioner of the District of Columbia.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

#### THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

Mr. HATCH. I ask that the nominations in the Marine Corps be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Marine Corps are confirmed en bloc.

That completes the calendar.

Mr. HATCH. I ask unanimous consent that the President be immediately notified of all nominations confirmed this day.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

#### RECESS

Mr. HATCH. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 24 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, May 14, 1946, at 12 o'clock meridian.

#### NOMINATIONS

Executive nominations received by the Senate May 13 (legislative day of March 5) 1946:

##### COMPTROLLER OF CUSTOMS

Charles I. Lafferty, of Atlantic City, N. J., to be comptroller of customs with headquarters at Philadelphia, Pa. (Reappointment.)

##### UNITED STATES TARIFF COMMISSION

John Price Gregg, of Oregon, to be a member of the United States Tariff Commission for the term expiring June 16, 1947.

##### FEDERAL COMMUNICATIONS COMMISSION

Paul A. Walker, of Oklahoma, to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1946.

#### IN THE NAVY

##### LIEUTENANT COMMANDERS

Brewer, James T. Traua, Harold F.  
Sigel, Clinton H. Wallis, Adelbert V.

##### LIEUTENANTS

Atkinson, Richard H. Gage, Kenneth L.  
Jr. Meneke, Kenneth E.  
Bankert, Boyd A. Steffanides, E. F., Jr.

##### LIEUTENANTS—JUNIOR GRADE

Blackwood, Herbert B. Hoolhorst, Robert A.  
Boles, Warren C. Howe, Thomas F.  
Bull, Carl E. Hunnicutt, James L.  
Cameron, Gerald L. Huston, Robert C.  
Cole, Shelby O. Jennings, Verne A.  
Crutcher, William R. Kirkpatrick, William  
Curtis, Walter L. J. S., Jr.  
Darroch, James W. Lafferty, Kenneth F.  
Davis, Lewis F. Marvin-Smith, Harry  
Detrick, Virgil S., Jr. McAllister, Joseph D.  
Dimpfel, Emerson H. McCurtain, James H.  
Ellis, Paul B. Meakin, John B.  
Fagan, Robert H. Miller, Floyd F.  
Faulkner, Frederic L. Monk, Ivan  
Fleming, Edward S. Nienstedt, Donald A.  
Flynn, Leonard J. Pawka, Edward J.  
Francis, Duncan F. Pear, John F.  
Frauenheim, Gilbert J. Pearson, Gerald R.  
Gallagher, Harry J. Riley, Frederick D., Jr.  
Green, Allen V. Sinkankas, John  
Gregg, Thomas A. Sintic, Anton J., Jr.  
Harrison, Harry W., Jr. Smith, Hinton I.  
Hillis, Thomas W. Strauss, Ben Arthur  
Hines, Kenneth W. Van Gorder, Harold B.  
Holden, James R.

#### ENSIGNS

Abbott, Myron J. Blake, Frank W., Jr.  
Adams, Arthur J. Bland, Sylvan R.  
Adams, Fred I. Bland, William F.  
Adkisson, Hubert K. Bodger, Walter C.  
Agin, Kenneth G. Bolt, William H., Jr.  
Ahlstrom, Orin J. Boucree, James J.  
Alber, Lavier C. Bowen, Alva M., Jr.  
Alexander, Robert C. Bowers, Roscoe H.  
3d Box, Herbert G.  
Allen, Eugene T. Boyd, Earl I.  
Allen, Joseph S. Boyle, John A.  
Allmon, Clyde E. Bradford, John R., Jr.  
Aloisio, Veto Bradley, Frank H.  
Amman, Bernard Branson, "J" "F", Jr.  
Ammerman, Charles, Jr. Branton, Richard C.  
Anderson, Thomas E. Brasca, John P.  
Andrews, George G. Breeden, George B.  
Andrus, Richard C. Brekke, Trond G.  
Aney, John L. Brent, Sherman E.  
Anglemyer, Robert E. Bridges, Johnie J.  
Archie, Addison S., Jr. Brokaw, Bergon F.  
Appel, Robert B. Brooks, Paul R. M.  
Armstrong, Frank D. Brown, Donald N.  
Jr. Brown, Guy C.  
Armstrong, Sam "T" Brown, Joseph W., Jr.  
Jr. Brownsberger, James  
Armstrong, William H. A. Buckles, Harland R.  
Arseneault, Arthur J. Bucklew, Oscar T.  
Jr. Burchfield, James L.  
Axson, Frank A. Burkey, Gale C.  
Bacon, Noel R. Burnam, Harold W.  
Bacon, Schuyler W. Cady, Joseph  
Baer, John H. Cain, Elbert V., Jr.  
Bagwell, Ralph M. Caine, Lawrence B., Jr.  
Bailey, Gordon W. Call, William R.  
Bailey, John D. Callahan, Charles W.  
Baker, Philip Callis, John L.  
Baker, Robert G. Capistran, John H.  
Baker, Robert J. Carlenzoli, Henry  
Baker, Royal W. Carman, Robert E.  
Bakle, George F. Carpenter, Melvin J.  
Balestri, William L. Carr, Leslie "J"  
Ball, Robert E., Jr. Carrier, Francis A.  
Ballew, John L. Carros, John Z.  
Ballinger, William C. Carter, Harold L.  
Bally, Walter L., Jr. Cates, Kenneth W.  
Bark, Durward A. Cauchon, Herve P.  
Barker, Gilbert H. Cavanaugh, "O" "B," Jr.  
Barker, Jesse T. Jr.  
Barkley, Edward P. Cawley, Max E.  
Barnes, Robert M. Cella, Roy F.  
Barnsdale, William J. Chandler, Murray L. C.  
Barfett, Russel R., Jr. Chiles, Richard H., Jr.  
Barry, Bruce C. Chinnis, Carter C.  
Barton, Elbert M., Jr. Chisholm, John E.  
Barton, George E. Christensen, Gordon P.  
Bates, Sheldon "S" Christiansen, William  
Batson, Roland R., Jr. Clock, Richard L.  
Bauder, Eugene W. Cobb, Myron M., Jr.  
Baumgaertel, Lawrence F. Cockrell, Fred T.  
Baumgardner, Neal G. Cody, Harold R.  
Bayless, Terry S. Colbert, Vernon E.  
Beal, Roby A. Colkitt, Benjamin E., Jr.  
Beaver, Chester E. Compton, Oliver D.  
Becker, William P. Connolly, Joseph A.  
Bell, George M. Cook, Francis C.  
Bellinger, Duane J., Jr. Cook, John F.  
Bellis, Charles A. Cooper, George R., Jr.  
Bennett, Edgar T. Copeland, James D.  
Benton, Burgin "L" Copeland, William E.  
Berg, Frederick E. Corcoran, Thomas J.  
Bergey, Gale L. Corkran, Richard L., Jr.  
Bergsma, Earl R. Corner, Sheldon L.  
Berkstresser, Charles C. Cornish, James E.  
C. Cortner, Howard M.  
Bertoglio, Lloyd W. Coryell, George R.  
Bevan, Thomas Q. Couch, Howard W.  
Bigelow, Charles C. Coulter, Fred W.  
Bigelow, Marvin R. Cousins, Gordon M.  
Bigham, Frank, Jr. Covington, Earl L.  
Bing, John H. Crangle, Eugene V.  
Bingham, Byrum C. Crann, Lawrence B.  
Birch, Thomas L. Cressman, Wilmer H.  
Bird, Wesley E., Jr.  
Blair, Marvin S.



- Crevelt, John T.  
Crockett, Luther M.  
Croft, Merion W.  
Cross, Richard F., 3d  
Culotta, Joe Joe  
Cunningham, Paul J.  
Currin, Norman P.  
Curry, Robert E.  
Curtin, John R.  
Curtin, Robert H.  
Cushman, Charles H., Jr.  
Cyr, Robert B.  
Czerwonky, Andreas R.  
Dabbs, Billy  
Dalton, James B.  
Dana, Martin L.  
Dane, Samuel  
Daniel, Sidney T.  
Daniels, John  
Darby, Lowell E.  
Darnall, Charles W., Jr.  
Darnold, Marshall P.  
Daubert, Henry C., Jr.  
Daugherty, John A.  
Davidson, Carl W.  
Davidson, Edward A.  
Davis, George W., 5th  
Davis, Jack E.  
Davis, John F.  
Davis, Leland E.  
Davis, Stanley O.  
Davis, Tharrell W.  
Davis, William H.  
Daval, Charles D., Jr.  
Decallies, Richard N.  
Degroote, Douglas F.  
Deitz, Charles J.  
Delaney, John A.  
Denegre, Thomas B., Jr.  
Denkler, William A.  
Devold, Thorpe G.  
Dierker, John R.  
Ditzler, David D.  
Dodson, John D., Jr.  
Doherty, James F., Jr.  
Donahue, Philip M.  
Donald, Herbert L. Jr.  
Donnaud, Charles O., 3d  
Dooley, Raymond J.  
Dorchester, Chester H.  
Dore, Edward J., Jr.  
Doudican, Edward  
Douglass, Robert R., Jr.  
Dow, John F.  
Dowdy, James C.  
Drayton, Leslie H.  
Driscoll, John R.  
Dubiel, Robert A.  
Dubrul, Donald C.  
Duhon, Willis P.  
Duke, Edwin L.  
Duncan, Charles L.  
Duncan, John H.  
Duncan, Marvin H.  
Duncan, Richard E.  
Duncan, Theodore N.  
Dunson, William B.  
Dunston, Charles E.  
Durtche, Carl, Jr.  
Efird, Terril A.  
Efland, Mack P., Jr.  
Egert, Marlin V.  
Elsede, J. Christian  
Eldridge, Paul W.  
Eldridge, Richard A.  
Ellis, Frederick L.  
Ellis, George G., Jr.  
Ellis, Kermit Q.  
Ellison, Wayne W.  
Elsworth, Donnel "E"  
English, Addison R.  
Entringer, James S.  
Erksen, Einar A.  
Esch, Robert R.  
Esposito, Michael J.  
Ettinger, Raymond L.  
Eubanks, Jack L.  
Evans, Kenneth J.  
Evans, Malcolm G.  
Evans, Roy A.  
Ewing, Frederick B., Jr.  
Fairbanks, John W.  
Fallon, James V.  
Fallon, Leonard T.  
Farr, Jesse B.  
Farrand, Langdon S.  
Farrell, Charles S.  
Fears, Charles L.  
Ferguson, Gerald L.  
Ferguson, William L.  
Ferrell, Otis C., Jr.  
Feuerbach, Theodore  
Fewell, Kinsey K.  
Fielding, Teddy R.  
Fife, Milton E.  
Filson, James B.  
Finneran, John F., Jr.  
Florini, Elmer B.  
Fischbeck, Roy S.  
Fisher, Dale W.  
Fisher, Philip S., Jr.  
Fisher, Robert A.  
Fisher, Robert D.  
Fite, Wallace A.  
Fitzgerald, John H.  
Fitzpatrick, John G.  
Fitzpatrick, L. J., Jr.  
Fleet, John P.  
Fleming, Robert J.  
Flitton, Charles N. 2d  
Flood, Robert E.  
Fogarty, William E.  
Foley, Edward M.  
Forbis, Roy E.  
Forcier, Alfred A.  
Ford, "J" "D"  
Ford, Truxton K.  
Forgy, William J.  
Forth, Edward W.  
Fortner, Herschell  
Fortner, Leslie O.  
Foster, John I.  
Fowler, R. E., Jr.  
Franch, Ardwin G.  
Francis, Leverett M.  
Franklin, George E.  
Franklin, Roy V.  
Frates, George H., Jr.  
Fries, William D.  
Frisbie, Charles N.  
Fritz, Charles W.  
Frosio, Joseph M., Jr.  
Frossard, Clarence F.  
Fry, Elmer C.  
Fulwider, Robert E.  
Gabel, Robert W.  
Gallagher, Glen F.  
Galland, Frank J.  
Gallivan, James J.  
Gammell, John F.  
Gamwell, Stephen E.  
Garbark, George H.  
Gardner, Robert M.  
Garrison, Lloyd W.  
Gartland, Paul V.  
Gayle, Robert E., Jr.  
Gear, Bud B.  
Gehrmann, Charles P., Jr.  
Gentilini, Joseph J.  
George, Milton D.  
Gerdes, Henry A.  
Gerry, Joseph H.  
Gersuk, Ipser J.  
Geselbracht, Thomas H.  
Gibbs, Charles W.  
Gibson, Aubrey L.  
Gibson, Charles C.  
Gibson, Freal J.  
Gibson, Moses M., 3d  
Gibson, William R.  
Gifford, Lewis G.  
Gill, Alfred M.  
Gillmore, Garth D.  
Gilmore, Grover G.  
Ginn, John O.  
Girard, George W.  
Glanzman, John B. J.  
Glasgow, Robert N.  
Glass, Ira A., Jr.  
Gleeson, Richard G.  
Glover, John W.  
Glowacki, Theodore, Jr.  
Goben, Howard G.  
Gockel, Bernard N.  
Godek, Mieczyslaw  
Godfrey, "J" Thomas  
Godin, John E.  
Goll, Robert R.  
Gompf, Charles H.  
Goodberlet, Alphonse G.  
Goodrich, "J" Harold  
Goodwin, Glendon  
Goodwin, John T.  
Gordon, Harold L.  
Gordon, Wendell G.  
Gorman, Frederick E.  
Gossman, Thomas J.  
Gotch, James R. P.  
Goulder, Morton E.  
Graffy, Richard  
Grafton, Warren C.  
Graham, James T.  
Graham, Ralph E.  
Grazda, Melvin G.  
Greeley, Douglas H., Jr.  
Greene, Robert E.  
Greer, Richard D., Jr.  
Gregonis, Joseph P.  
Griffin, Bayard F., Jr.  
Griffin, Thomas H.  
Griffith, Marvin L.  
Groot, Henry A., Jr.  
Grosser, John F.  
Guilfoyle, Robert F.  
Gullaksen, Gilbert V.  
Guttenberger, Frank M.  
Guy, James W.  
Guy, Robert S.  
Guyer, George F.  
Hagen, Harold A.  
Haines, Joseph E.  
Hall, George A.  
Hall, Harvey W., Jr.  
Hall, Robert E.  
Hallett, Burton C.  
Hallman, Robert E.  
Hamilton, Charles B., Jr.  
Hammons, Lonnie S.  
Hampshire, Victor A.  
Hancock, Alex F.  
Hanecak, Richard G.  
Hanley, Robert T.  
Hansen, Baron L.  
Hansen, John G.  
Hanson, George W.  
Hargis, William H., Jr.  
Harper, George A.  
Harper, Wyatt E., Jr.  
Harrison, Curg W.  
Harrison, Wayne J.  
Hart, Gordon M.  
Hart, Richard H.  
Hartman, William F.  
Hartshorn, Richard L.  
Harvey, Vernon A.  
Hasse, Raymond W., Jr.  
Hassell, John T.  
Hassell, Victor G.  
Haszard, Harry A.  
Haverty, Edmund  
Havron, Billy L.  
Hawkins, William T.  
Hawkinson, Thomas D.  
Hazelton, Dewitt W.  
Heagerty, Harold R.  
Heaps, James R.  
Heath, Robert G.  
Heeszel, Edwin H.  
Heindsmann, T. E., Jr.  
Heinmiller, George A.  
Hemler, Frank T.  
Henderson, James C.  
Hendrickson, Rudolph  
Henry, Robert R.  
Henwood, William C.  
Hicks, Frank R.  
Hicks, Richard E.  
Higgins, Roy T.  
Hile, William H., Jr.  
Hill, Ralph B.  
Hinman, Charles R.  
Hitchcock, John H.  
Hobbs, James A.  
Hoch, Harry K., Jr.  
Hodell, Raymond W.  
Hoene, Lloyd C.  
Hoerner, Helmut H.  
Hoffberg, Howard J.  
Hoffman, Edward N.  
Hoffman, Glen E.  
Hoffman, Glenn  
Hoffman, Lloyd K.  
Hoffman, Robert J.  
Hogan, William M.  
Hogg, Frank W.  
Hoggard, Preston  
Hogue, "J" "C"  
Holley, Ervin D.  
Hollister, Vincent L.  
Homer, Roger H.  
Hooker, Franklin  
Hopkins, Francis D.  
Hornsby, Henry C.  
Horrigan, David E., Jr.  
Hosier, Ray S., Jr.  
House, Roy A.  
Howard, Billy D.  
Howe, Lee V.  
Howell, Wiley B.  
Howlett, John  
Hubert, William E.  
Hunt, Charles R.  
Hunt, Clyde G.  
Hunt, James R.  
Hunt, William T.  
Hunter, Robert H.  
Hurst, Walter  
Hutcherson, Huron, Jr.  
Hynson, Herbert R., Jr.  
Imholte, Karl H.  
Ingraham, Mark W., Jr.  
Ingrassia, Robert P.  
Irby, Barton  
Ivy, James E.  
Jackson, Billy G.  
Jackson, Chandler C., 2d  
Jackson, Clifton E.  
Jackson, James E., Jr.  
Jacoby, Richard E.  
Jasper, Melvin W.  
Jenkins, John A.  
Jennings, "E" "F"  
Kahle  
Jennison, Lewis L.  
Jerbert, Arthur H.  
Jester, Jack A.  
Jester, Richard H.  
Johns, Ruben L.  
Johnson, Ace  
Johnson, Carl W., Jr.  
Johnson, Harold T.  
Johnson, Henry J., Jr.  
Johnson, Robert O.  
Johnson, Richard C.  
Johnson, Walter P.  
Johnston, Juel D.  
Johnston, Reginald J.  
Jones, Albert L.  
Jones, Charles C.  
Jones, Donald P.  
Jones, Gomer J., Jr.  
Jones, John F.  
Jones, Raymond F.  
Jones, Robert S.  
Jorgensen, Paul T.  
Joy, Harmon R.  
Juarez, Robert  
Judith, Joseph H.  
Justman, Leroy G.  
Kalas, Anthony S., Jr.  
Kallenberg, Gordon L.  
Kalstad, Henry M.  
Karl, Richard L.  
Kauth, John L., Jr.  
Kay, Robert  
Kaye, Alan J.  
Kelley, Lawrence  
Kellogg, John L.  
Kelly, James J.  
Kelly, John "L," Jr.  
Kelly, Joseph "F," Jr.  
Kelly, Leo  
Kelly, Thomas "J"  
Kendrick, David C.  
Kennedy, Reginald W.  
Kent, Donald G.  
Kern, Donald H.  
Kessing, Oliver O., Jr.  
Kusseff, Stephen  
Kilbride, Robert L.  
Kiley, Donald W.  
Kilgore, Jasper G.  
Kimbrel, Robert W.  
Kincaid, Robert A.  
King, Mahlon H.  
Kirkendall, Melvin S., Jr.  
Klaessy, Dale S.  
Klemawesch, James  
Klink, Erwin J.  
Knapp, Donald R.  
Knight, Louis F.  
Knott, Zebulon V., Jr.  
Konzen, Joseph J.  
Koresell, William J.  
Kosciusko, Henry M.  
Krueger, Duane M.  
Kuencer, William O.  
Lambert, John R.  
Lang, Marvin H.  
Langham, "J" "W," Jr.  
Larson, Henry F.  
Lauer, Albert C.  
Leach, Alvin D.  
Lee, Howard "C"  
Ley, Gerald M.  
Lippincott, Leslie C.  
Loeb, Jacob N., 2d  
Long, John O., Jr.  
Loomis, William R.  
Love, David "K"  
Lubberts, Albert C.  
Luecking, William H.  
Luka, Earl  
Lundy, Jack R.  
McAndrew, Richard J.  
McCall, Graham H.  
McCandless, Arlin R.  
McCarthy, Cornelius A.  
McCarthy, Edward J.  
McCarty, Joseph B.  
McClagherty, Harry C.  
McCormick, Thomas E., Jr.  
McCort, John W.  
McCraney, Virgil H.  
McCuddin, Leo B.  
McDougal, Clifford A.  
McEntee, William J. H., Jr.  
McFadden, William J.  
McGraw, Bruce A.  
McIntosh, David M.  
McKee, John C.  
McKellar, Robert M.  
McMahon, Richard E.  
McMullan, James J.  
McQuary, John E.  
Mabey, Alfred  
MacDonald, James R.  
MacFarland, Jay W., Jr.  
Mack, Donald D.  
Madson, Rae P.  
Mahoney, James H., Jr.  
Malahy, John S., Jr.  
Malnerich, Joseph N.  
Marn, Albin  
Martin, Gus D.  
Martin, Posey L., Jr.  
Maulden, Hoyt P.  
May, Hobert  
Mayer, Juan R.  
Meadows, Warren T.  
Mendenhall, Sy E.  
Mentzer, Howard D.  
Merritt, James F., Jr.  
Meyer, Joseph J., Jr.  
Meyer, Robert J.  
Meyring, William W. R.  
Miller, Donald G.  
Miller, John R., Jr.  
Minor, Gerald E.  
Mitchell, Paul D.  
Mize, Wilton S.  
Moessner, Julius H.  
Moore, James S., Jr.  
Moore, John M., Jr.  
Moore, John R.  
Moorhead, Daniel R.  
Morris, Kyle H.  
Morris, Robert E.  
Moyer, Eugene H.  
Moyers, Frederick C.  
Mullen, James L.  
Murphy, Harold N.  
Murray, James G.  
Neal, Charles  
Nelson, Arthur A.  
Nichols, Keith G.  
Nixson, Walter H., Jr.  
Northrup, Franklin C.  
Norton, James C.  
Novak, Marvin R.  
Now, John G.  
Nuttall, John L., Jr.  
O'Connor, Paul  
Ohsiek, Robert R.  
O'Leary, Harold M.  
Olsen, Clifford E.  
Olson, Edward C.  
Orme, Samuel T.  
Parks, David P.  
Parrish, Elbert W.  
Pavala, Joseph V.  
Paxton, Norman L.  
Payne, James A.  
Payson, John G.  
Pease, William L.  
Pendery, William P.  
Penick, Robert E., Jr.  
Petricka, Robert P.  
Pfeister, Charles W.  
Phillips, Donald M.  
Phillips, William R.  
Pickens, Charles M.  
Pickrel, Evan W.  
Piller, Marcel N.  
Pimentel, Antonio T., Jr.  
Pine, Frank L.  
Pittman, Leonard  
Poenicke, Charles F., Jr.  
Poindexter, John T.  
Polgar, Paul S.  
Pollock, Lewis H.  
Potter, Horace S.  
Powell, "J" Paul  
Pulford, Stafford S.  
Pulliam, William E. 2d  
Quelland, Obed R.  
Ragazzini, Louis J.  
Rand, Robert C.  
Randall, John H.  
Ray, Russell J.  
Rayburn, Joseph H.  
Redgrave, Dewitt C. 3d  
Reeves, Roy S.  
Regan, Robert F.  
Reintjes, Leonard J.  
Rhoades, Everett A.  
Rice, Jonathan F.  
Riceman, Ernst A.  
Rich, Charles W.  
Rich, Clarence E.

Richards, Albert A. Smith, Elven H.  
 Richardson, Neil H. Smith, Frank W., Jr.  
 Richardson, Robert L. Smith, Horace G., Jr.  
 Riggan, Thomas H. Smith, Hugh M.  
 Riley, Francis C. Smith, John E.  
 Rimer, John P. Smith, John J.  
 Rippey, William H. Smith, Kenneth D.  
 Robbins, Robert D. Smith, Lawrence M.  
 Roberts, Berthel L. Smith, Ralph C., Jr.  
 Roberts, Loy G. Smith, Walter F.  
 Robinson, Clifford E. Snyder, Robert "R".  
 Robinson, Jack Vere Sodke, Henry E., Jr.  
 Rockoff, Herbert Spafford, William W.  
 Rodenburg, Eugene E. Spargo, Paul L.  
 Rodgers, John R., Jr. Spelcher, Paul E., Jr.  
 Rodriguez, Richard Speirs, Carl L.  
 Roemer, Robert F. Spielman, James S.  
 Rogers, Charles A. Spooner, William A.  
 Rogers, Donald M. Sprott, Arthur L.  
 Rogers, Robert B. Spuhler, Ralph W.  
 Rohland, Wayne E., Jr. Stafford, James S.  
 Romer, Robert D. Stanley, Earl W.  
 Rose, Alfred W. Stanley, Gordon A.  
 Rose, George S. Stark, Alvin.  
 Roseberry, Wilmer R. Stark, Francis A.  
 Jr. St. Clair, Robert H., Jr.  
 Ross, Jack S. Stearns, William G., Jr.  
 Ross, John W. Stebbings, Harry E., Jr.  
 Rothenberg, Allan Stebbings, Harry E., Jr.  
 Rountree, Frederick M. Stebbings, Harry E., Jr.  
 Rourke, Robert A. Stephenson, Marion G.  
 Rule, John D. Stewart, Ellis E.  
 Rule, Shelley E. Stichka, James B.  
 Rusk, Alfred D. Stinemat, Daniel H.  
 Russell, Kenneth M. Stirnweiss, Andrew P., Jr.  
 Russell, Louis J. Stoddard, Gerald W.  
 Rust, Charles C. Stone, Frank B.  
 Salyer, Herbert L., Jr. Stonis, Leo P.  
 Samuelson, Ralph H. Stowers, William C.  
 Sanders, Charles St. Pierre, Ferdinand W.  
 Sands, John M., Jr. Stroud, George W.  
 Satterfield, Loys M. Sullivan, Edward T., Jr.  
 Savacool, James M. Sutton, James E., Jr.  
 Saveker, David R. Swan, Charles W.  
 Saylor, Philip G. Sykes, Ira D., Jr.  
 Scales, Clyde M., Jr. Sykes, Ira D., Jr.  
 Scantlebury, Edwin W. Syverson, Laverne E.  
 Scapa, Jacob Talbert, Cornelius H.  
 Schaedler, George A. Tappan, Benjamin  
 Scheuing, Robert E. Tate, James D.  
 Schluter, Milford E. Taylor, William P.  
 Schoenfeld, Samuel J. Teeter, Phillip H.  
 Jr. Terry, George D.  
 Scholes, George S. Teufer, William E.  
 Schoulda, George C. Thewlis, Alan M.  
 Schroeder, Charles J. Thibodeau, Howard A.  
 Scott, Ralph C. Thomas, Fred L.  
 Scott, Walte. Thomas, Lloyd H.  
 Seay, George W. Thompson, David Lee  
 Sebring, Clair W., Jr. Thompson, Vernon  
 Segerblom, Richard B. Thompson, Robert M.  
 Sexton, Richard A. Thornton, William G.  
 Shaar, Camille M., Jr. Thueson, Theodore S.  
 Shackford, Robert W. Thurston, Curtis A.  
 Shaffer, Charles A. Tidwell, Joseph P.  
 Shaffer, James B. Tidwell, William L.  
 Shaw-Corthorn, G. Tilburne, Leopold R.  
 Shaw, Frank J. Timm, William J.  
 Sheffield, Richard A. Tippey, James M.  
 Shell, James E. Tipton, Elden C.  
 Shelton, Samuel M. Tomlinson, Clifford S.  
 Shepard, Everett C., Jr. Toon, Owen R.  
 Shepard, Wayne C. Toponce, Harvey E.  
 Sheppard, Charles P. Towle, Barnaby L.  
 Shinnema, John R. Tozer, Arthur F.  
 Shirley, James A. Tracy, Gilbert L.  
 Shocks, Julian I. Travers, Sumter L.  
 Shofner, Orville W. Treadwell, Thurman  
 Shropshire, Paul H., Jr. R., Jr.  
 Shuff, John W., Jr. Trexler, Burton R.  
 Shuler, Ewart A., Jr. Trinkle, Austin J.  
 Silberstein, Howard J. Trittip, Ivan L.  
 Sistrunk, Vernon J. Turner, Earl J.  
 Sivo, Anthony J. Turner, Frederick C.  
 Slawsky, Stanley M. Turner, George M., Jr.  
 Smeltzer, John W., Jr. Tyler, Charles G.  
 Smith, Andrew R. Tyree, David A.  
 Smith, Arthur C., Jr. Ustick, Perry W.  
 Smith, Bruce B.  
 Smith, Byers G.

Utgoff, Victor  
 Utke-Ramsing, Ver-  
 ner, Jr.  
 Vakiyes, John W., Jr.  
 Vanderford, Gordon J.  
 Vanni, Mario A.  
 Venne, Antoine W., Jr.  
 Vereen, Jackson  
 Viguers, Allan K.  
 Viscardi, Peter W.  
 Wade, Leroy G.  
 Waller, Preston  
 Walsh, Arthur L.  
 Walstrom, Clifford C.  
 Walters, Joseph F.  
 Walton, Russell E.  
 Wardall, William K.  
 Wareham, Richard A.  
 Warton, David  
 Waters, William T.  
 Webber, Clarence E.  
 Webster, James T.  
 Webster, William S.  
 Jr.  
 Wegmet, Howard N.  
 Weigel, John J.  
 Weintraub, Jerome I.  
 Wells, Lionel E.  
 Wencker, Donald P.  
 Wendorf, Edward G.  
 Werner, Ralph L.  
 West, Frank R.  
 Wetmore, Eugene S.  
 Wharton, Claude A.  
 Jr.  
 White, Jackson  
 White, Samuel L.  
 Whiteaker, James G.  
 Whiting, Thomas S., Jr.  
 Wiesner, Henry B.  
 Wigington, Everett E.  
 Wilkes, Gaylen L.  
 Wilkinson, Roland F.  
 Willey, John Robert  
 Williams, Benjamin O.  
 Williams, Charles M.  
 Williams, D. Hunt  
 Williams, Edward A.  
 Williams, George P.  
 Williams, Harrison A.  
 Williamson, Elmer F.  
 Wilson, Gerald H.  
 Wilzer, Kenneth R.  
 Wimpey, George A.  
 Wise, John H.  
 Wise, Maurice H., Jr.  
 Wisner, Robert J.  
 Wiss, Donald H.  
 Witzak, Raymond J.  
 Wood, Charles E., Jr.  
 Wood, Robert J.  
 Woolley, Jackson E.  
 Wooling, Robert F.  
 Worley, Howard M.  
 Wouters, John C.  
 Wyckoff, Jacob B., Jr.  
 Wylie, Raymond G.  
 Wyman, Herbert B.  
 Young, Earle B.  
 Young, Felix G., Jr.  
 Young, Norman A.  
 Yunkin, Robert D.  
 Zaiser, Warren E.  
 Zakarian, Aaron M.  
 Zawolski, Andrew J.

The following-named officers for appointment to the Medical Corps of the Navy in the grades and ranks indicated below:

**SURGEONS WITH THE RANK OF LIEUTENANT COMMANDER**  
 Fogel, Roland H. Nichols, Ira C.  
 Gray, John A. C. Oard, Harry C.  
 Lund, John A.

**PASSED ASSISTANT SURGEONS WITH THE RANK OF LIEUTENANT**  
 Beck, Richmond J. James, Roger A.  
 Belair, Joseph F. Kirkpatrick, Louis P.  
 Chaffin, Alexander N. Lessig, Daniel K.  
 Connors, Raymond J. Myers, Ralph R.  
 Gruggel, John S. Olechowski, Leo W.  
 Hill, Harold H. Smith, Lewis M.  
 Hirschland, Harold Smith, Oney Percy

**ASSISTANT SURGEON WITH THE RANK OF LIEUTENANT, JUNIOR GRADE**  
 Burge, Edward S. Morrow, Thomas L., Jr.  
 Closson, Harold O. Mullin, Charles S., Jr.  
 Dasler, Adolph F. Murphy, William F.  
 Fidler, Albert J. Pierce, Wilmot F.  
 Hurlburt, Edward G. Roberts, William L.  
 Klein, William A. Runkle, Stuart C.  
 Knight, Melvin K. Shepherd, Bruce M.  
 Manchester, Robert C.

The following-named officers for appointment to the Supply Corps of the Navy in the grades and ranks indicated below:

**PASSED ASSISTANT PAYMASTER WITH THE RANK OF LIEUTENANT**  
 Boundy, Charles M.  
**ASSISTANT PAYMASTERS WITH THE RANK OF LIEUTENANT (JUNIOR GRADE)**  
 Collins, Ernest P. Grassino, Caesar M.  
 Collins, Lewis S. Muller, William F.  
 Cope, Raymond W. Williams, Chauncey C.  
 Curtin, Neale W. Winslow, Richard E., Jr.  
 Glocheski, Virgil R.

**ASSISTANT PAYMASTERS WITH RANK OF ENSIGN**  
 Ainlay, Henry L. Jr. Brown, Thomas M.  
 Babbitt, Cameron "W" Burns, Hugh F. J.  
 Baker, Joseph W. Byard, Ralph D.  
 Biltoft, Charles W. Carpenter, William O.  
 Bland, Herbert L. Clark, Walter H., Jr.  
 Brislawn, Richard W. Cooley, Hollis W.  
 Brohard, Dwight J. Cooper, John W.

Curtis, James R. Rader, Albertus S.  
 Dinsmore, Dale D. Raube, Chester H.  
 Donohue, Phillip V. Saladin, Mahlen G.  
 Duncan, Henry C. Sams, William D.  
 Eschenberg, Louis "G" Seelos, Robert G.  
 Fowler, Theodore C. Seldenright, Doyle W.  
 Gibbs, Charles A. Shumaker, Paul C.  
 Greene, Daniel W. Smith, Bert E.  
 Hauge, George E. Sponseller, Harling E., Jr.  
 Honey, Leonard G. Stearns, Lyle A.  
 Hooper, John C. Stephens, William E.  
 Johnson, William H. Strebel, Kermit W.  
 Kamrar, Simon D. Strauss, John P.  
 Keith, Robert E. Taylor, Edward S.  
 Kennedy, Austin J., Jr. Timmons, Joseph H.  
 Lewis, John M., Jr. Turner, Roger E.  
 Mackinnon, Willis T. Utterback, Carl W.  
 Maddox, Kenneth W. Walton, Billie M.  
 Mather, Fred I. Washom, Paul S.  
 McIver, John F. Weatherston, Frederick W.  
 Meyer, William H., Jr. Wettermark, Alfred B.  
 Mooney, James J. Willetts, Philo F.  
 Nickovich, Eli Williams, James M.  
 Nugent, Francis F.  
 Olbrey, Harold M.

The following-named officers for appointment to the Chaplain Corps of the Navy in the grades and ranks indicated below:

**CHAPLAIN WITH THE RANK OF LIEUTENANT COMMANDER**  
 Gerhart, Luther F.  
**CHAPLAINS WITH THE RANK OF LIEUTENANT**  
 Nelson, Charles William  
 Wright, Dewitt E.  
**ACTING CHAPLAINS WITH THE RANK OF LIEUTENANT (JUNIOR GRADE)**

Bonner, Robert A. McClellan, Harvey H.  
 Cahill, Richard A. McPherson, John B.  
 Covert, Charles J. Meachum, Lonnie W.  
 Czelusniak, Adolph J. Menges, Harold F.  
 Emerson, James E. Palmer, Wendell S.  
 Ernstmeyer, Milton S. Read, Alden A.  
 Fenning, Robert C. Sassaman, Robert S.  
 Garrett, Francis L. Seymour, Howard A.  
 Greenlaw, Earle D. Spinney, William J.  
 Harter, Richard L. Sullivan, James A.  
 Iley, Charles H. Tennant, William G.  
 Ingvaldstad, Orlando, Walter, John H.  
 Jr. Wolf, Warren L.

The following-named officers for appointment to the Civil Engineer Corps of the Navy in the grades and ranks indicated below:

**CIVIL ENGINEER WITH THE RANK OF LIEUTENANT COMMANDER**  
 Ray, Frederick C.  
**ASSISTANT CIVIL ENGINEER WITH THE RANK OF LIEUTENANT**  
 Peltier, Eugene J.  
**ASSISTANT CIVIL ENGINEERS WITH THE RANK OF LIEUTENANT (JUNIOR GRADE)**  
 Cornwell, George G., Jr. Raymond, John M., Jr.  
 Dillion, John "G." Reid, George F., Jr.  
 Dumont, Thomas J. Richey, John  
 Gibson, Edwin E. Roessler, Bernhard O.  
 Gordon, William M. Seuffer, Paul Ernest  
 Johnson, Tom R. Spellman, Clemens E.  
 Johnson, Weston M. Stamp, Thomas L.  
 Kravath, Fred F. Wende, Charles T.  
 Lakos, Eugene A. Wilson, Samuel K.  
 Wright, James A., Jr.

The following-named officers for appointment to the Dental Corps of the Navy in the grades and ranks indicated below:

**DENTAL SURGEONS WITH THE RANK OF LIEUTENANT COMMANDER**  
 McKee, Dale L.  
 Schneider, Wilbert J.  
**PASSED ASSISTANT DENTAL SURGEONS WITH THE RANK OF LIEUTENANT**  
 Blair, Robert E. McIntyre, John R.  
 Goodell, Fred E. Odiorne, George D.  
 Jacob, Thornton N. Schnell, Paul A.  
 Lett, Walter B. Seiser, Edwin O.  
 Manson, Emmet L. Snyder, Paul L.  
 Martin, Clyde L. Waas, Clifford J.



# ASSISTANT DENTAL SURGEONS WITH THE RANK OF LIEUTENANT (JUNIOR GRADE)

Ball, Eugene R.  
Bohn, Clayton L.  
Bonnette, Paul C.  
Burnett, Robert F.  
Combs, Robert L., Jr.  
Defebvre, Bruce K.  
Dobyns, Frank D.  
Frye, Charles S., Jr.  
Gallagher, Walter N.  
Gelb, Martin J.  
Hanes, Rolenzo A.  
Heartwell, Charles M., Jr.  
Hedman, Warren J., Jr.  
Hogan, John A.  
Janetos, Dion S.  
Key, William H.  
Konikoff, Benjamin S.

Lieuallen, John W., Jr.  
Lockwood, Allen T.  
Lofgreen, Eugene J.  
Mauer, Norman C.  
McGrath, Stephen T.  
Merriam, Kenmore E.  
Ohl, Richard W.  
Renwick, Ralph G.  
Rice, Clifford H.  
Robie, John Charles  
Schneider, John J.  
Scola, Francis P.  
Sheppard, Furman L.  
Sorensen, John T.  
Tessman, Clarence C.  
Tuma, Richard F.  
Vincent, Burnell W.  
Williamson, Harry P.  
Wittich, Kenneth C.  
Ziolkowski, Edwin T.

## CONFIRMATIONS

Executive nominations confirmed by the Senate May 13 (legislative day of March 5), 1946:

### DISTRICT OF COLUMBIA

John Russell Young to be Commissioner of the District of Columbia for a term of 3 years, and until his successor is appointed and qualified.

### IN THE MARINE CORPS

APPOINTMENTS IN THE REGULAR MARINE CORPS  
To be second lieutenants in the Regular Marine Corps to rank from the dates indicated

Hardy Hay, from December 16, 1941.  
Gelon Hann Doswell, from January 9, 1942.  
Thomas Harvey Hughes, Jr., from May 15, 1942.  
Howard James Finn, from July 18, 1942.  
Lloyd Spencer Penn, from February 1, 1943.  
Kenneth Burdette Nelson, from February 16, 1943.  
Frank Christian Lang, from March 1, 1943.  
James Dean Boldman, from June 1, 1943.  
Georges Charles Knapp, from June 1, 1943.  
Godfrey Muller, from June 16, 1943.  
Royal Alfred McGraw, Jr., from July 16, 1943.  
Byron Herbert Beswick, from August 16, 1943.  
John James Hilburn, Jr., from September 16, 1943.  
James Duncan Johnson, from November 16, 1943.  
George Joseph Collins, from November 16, 1943.

## HOUSE OF REPRESENTATIVES

MONDAY, MAY 13, 1946

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

The Lord God is a sun, the source of all good; the Lord God is a shield, the defense from all peril; therefore, we wait before Thee. O spirit divine, summon us to acts of wisdom couched in understanding, and in the solution of every problem lead us to do the things we know we ought to do. In these anxious days fortify us with serenity and penetrating insight that shall be translated into terms of life that spell uprightness and conviction. Stimulate the patriotic sentiment of our country; allow no man

or group to be the dictators of its fate. Each day let goodness and justice spring from characters that are altogether worthy, and unto Thee be the praise forever. Through Christ our Saviour. Amen.

The Journal of the proceedings of Friday, May 10, 1946, was read and approved.

### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on May 9, 1946, the President approved and signed bills of the House of the following titles:

H. R. 2483. An act for the relief of the estate of Michael J. McDonough, deceased; and  
H. R. 5719. An act to amend the act entitled "An act to authorize black-outs in the District of Columbia, and for other purposes," approved December 26, 1941, as amended.

### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 5059. An act to provide additional compensation for postmasters and employees of the postal service.

The message also announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S. J. Res. 138. Joint resolution to implement further the purposes of the Bretton Woods Agreements Act by authorizing the Secretary of the Treasury to carry out an agreement with the United Kingdom, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 1457) entitled "An act for the relief of Josephine Benham."

### SPECIAL ORDER GRANTED

Mr. OUTLAND. Mr. Speaker, I have a special order for this afternoon of 40 minutes. I ask unanimous consent that this be transferred to Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

### EXTENSION OF REMARKS

Mr. LUTHER A. JOHNSON asked and was given permission to extend his remarks in the RECORD and include a citation to accompany the awarding of the Medal for Merit to William Rufus Boyd, Jr.

### NATIONAL ASSOCIATION OF MANUFACTURERS

Mr. O'TOOLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. O'TOOLE. Mr. Speaker, there has been some very severe criticism in this House of the labor unions and the Political Action Committee for their expending money in political and economic campaigns. However, I have not heard any drastic criticism of the actions of the powerful and wealthy National Association of Manufacturers who are now endeavoring to emasculate and obliterate the Office of Price Administration.

I believe the Banking and Currency Committee of this House should call before it the president of the National Association of Manufacturers to give to the members of that committee the opportunity to cross-examine at length this gentleman. This House should be informed as to where the hundreds of thousands of dollars that are being expended to wipe out the OPA are coming from. We should know the financial source of the hundreds of mats, cartoons, and editorials that have been sent to every rural and city newspaper in the country to bias public opinion. We should be informed as to whether or not special assessments have been placed against the individual members of the National Association of Manufacturers. We should further know the prices paid for advertising in newspapers, for it is strongly rumored that in the case of many of the small-town journals the prices paid were several times that of the usual rate.

### COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. KLEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KLEIN. Mr. Speaker, it is a sad commentary upon our situation in this House of Representatives when one of our committees relies upon biased and questionable sources in seeking evidence of subversion.

I have been reliably informed that the Committee on Un-American Activities has invited Harvey Springer, the so-called cowboy evangelist, of Englewood, Colo., to Washington to discuss his findings on communism in America. At least that is the public boast he made in speeches in Knoxville, Tenn., last week, in which he told of spending 10 hours with the committee's investigators who were returning from a trip to Hollywood.

This Harvey Springer has used his pulpit and his four-page weekly circular, the Western Voice, to spread the vilest type of hate mongering. He has repeatedly indulged in vicious attacks upon the Protestant Federal Council of Churches of Christ in America, upon the Catholic Church, as well as upon the Jews of this country.

He has praised and supported Rev. Gerald B. Winrod, one of the defendants in the sedition trial, and Gerald L. K. Smith.

Before the war and throughout the period of our Nation's devotion to the cause of victory it has appeared to be